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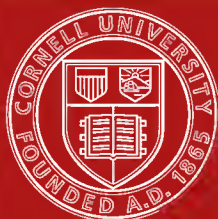
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Syllabus of Lectures  
on  
International Conciliation

GIVEN AT  
LELAND STANFORD JUNIOR UNIVERSITY

BY  
DAVID STARR JORDAN  
AND  
EDWARD BENJAMIN KREHBIEL

PUBLISHED BY  
THE WORLD PEACE FOUNDATION  
BOSTON, 1912



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## PREFATORY NOTE

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This book was originally prepared as a syllabus for the use of the students of Stanford University in attendance on Courses of Lectures on the History of International Conciliation, given by the authors in 1911 and 1912.

Its material was arranged solely with a view to meeting the needs of these students, and no effort was made to make the references exhaustive, except for the material contained in the library of the University.

About one hundred students, all drawn from the upper classes of the University, were in attendance each year; and the interest shown leads us to believe that similar courses will awaken a like interest elsewhere. It is believed that this study gives a better perspective to history, in showing the world movement from force to law, and that it promotes higher ideals of citizenship, in showing the gradual unification of the thoughts and interests of the civilized world.

At the request of Mr. Edwin D. Mead, Secretary of the World Peace Foundation, this private syllabus is now given to the public to serve such use in University teaching or in private study as may be made of it.

D. S. J.  
E. B. K.

Stanford University, California,  
June 20, 1912.

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# SYLLABUS OF LECTURES

## ON

# INTERNATIONAL CONCILIATION

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### I. INTRODUCTORY LECTURE.

(Jordan)

*Law*, the expression of right.

*Right*, the best way of doing things among men,—that which makes for strength, happiness and life.

*Peace*: the duration of law; the absence of violence in social and political relations.

“La paix est la durée du droit.”—(Bourgeois.)

*War*, the expression of “unreasoning anger.”

Co-ordinated and legalized violence to accomplish political ends. Meaning of battle, riot, brawl.

Republic.

Kingdoms, homogeneous groups headed by a king.

Empires, groups of kingdoms more or less completely ruled through force by an emperor.

A nation a region in which people are at peace among themselves.

*Civil war*, due to failure of functions of a nation; law-forming and law-enforcing (cabinets, parliaments and courts).

The road from absolutism towards democracy.

“The cement of hypocrisy.”

Willingness to compromise and co-operate, an antidote to civil war.

*International war*, war between recognized nations.

Virtually prohibitive through its gigantic expense. Prevented by treaties of arbitration.

*Imperial war*, war of spoliation, war against weak, lawless or barbarous nations.

By no means over. “The Great Illusion.” The belief that a nation is enriched by conquest or by expansion of jurisdiction over unwilling people. War for the extension of loans.

Who is to judge?

"The Mirage of the Map," the belief that power or glory goes with unprofitable extensions of jurisdiction.

Primitive man always subject to war. The life of every primitive man or woman, as of every wild animal, is a tragedy.

Progress never due to war save that war may remove obstacles, tradition or absolutism.

Barbarians violent, but not warlike, because neighbors have nothing to plunder.—(Sumner.)

War and peace have existed from time men wrote no history. *Compromise and co-operation*, the condition of national prosperity.

Also the condition of international peace.

War may sometimes be inevitable, it may be righteous, but only when no other redress exists.

It is the business of civilization to provide other means of redress, other methods of adjusting differences.

Co-operation and competition, egoism and altruism are two principles forever active in organic life, always present in human history.

Growth of in-groups; competition with out-groups. Coalescence of in-groups into tribes and nations. Development of peace within in-groups. Competition within in-groups leads to feudal wars. (Sumner: War.)

Extension of mutual help.

The growth of law. Primæval arbitration.

Tribal war; feudal war; the vendetta; piratical war; baronial war; municipal war; religious war; trial by ordeal; ordeal of war; the duel; civil war; international war. War as "God's great test of the nations."

International war, the only legalized form of wholesale killing; the only stronghold of "unreasoning anger in the councils of the world"; a relic of Mediaevalism: the "Holy Roman Empire," the ideal of one nation and one religion.

Mutual hatred and mutual distrust along the boundaries of tribes.

The old patriotism as tribal loyalty.

The new patriotism as faith in humanity.

Commerce, science, common interests of men are wider than the borders: missions, internationalism, "La vie internationale."

Peace, as agreement among politicians.

Peace of exhaustion.

Peace of bankruptcy armed to the teeth. "The beggar crouching by the barrack-door."—(Gambetta.)

Peace of mutual respect and mutual understanding.

"The old peace with velvet-sandaled feet."—(Noguchi.)

Peace of the English-speaking countries. The Canadian border the best illustration of international peace.

War as an impostor. Courage, self-restraint, magnanimity, daring are not caused by war, but shown against its lurid background. Brave men chosen as soldiers; being fighters does not make men brave. Every war shows cowardice, murder, arson, graft and leaves a trail of personal and national demoralization.

War as illegal. "Inter arma leges silent." Law and truth are silent when war is on.

The righteous cause no guarantee of success at arms.  
"God on the side of strong battalions."

War as immoral. That killing is made legal by war does not change its nature.

"Ef you take a sword an' dror it,  
An' go stick a feller thru,  
Guv'ment aint to answer for it,  
God'll send the bill to you."—(Lowell.)

War as a counter-irritant to democracy.

"Gild the dome of the Invalides."

War for glory, for territory, for plunder. Gain through war no longer possible.—"The Great Illusion."

War as costly.

(Consult the tables in the appendix for the public debt of nations about 1910.)

The French cartoons:

The farmer and the marquis.

The farmer, the soldier, and the money-lender.

War as a business contrasted with war for plunder.

The Unseen Empire of Finance: the houses of Rothschild, Cassel, Stern, Goldschmid, Pereire, Günsberg, Hirsch, Mendelssohn, Bischoffsheim, Warschauer, Warschafski, Sassoon, Montefiore, Fould, Wertheimer, Morgan and their allies and successors. "Das Consortium" of bankers.

War as destructive of virility.

Euthenics and eugenics of war.

Reversal of selection.

Breeding from inferior stock the primal cause of "the drooping spirit" of Europe.

A nation must be judged, not by its military power, not by its art, its science, its bankers or its universities, but by the status of its common man. What are the opportunities granted to the men of the rank and file? In what degree are these men able to grasp these opportunities? The effect of war is to limit these opportunities, and to leave the common man too weak to grasp such as may exist.



## II. ARMS AND ARMOR.

(*Krehbiel*)

- A. The defeat of fellowmen is the fundamental principle of war. The achievement of this result is more important than the means by which it is accomplished.  
The art of war is "the art of making the best practical use of the means at hand to the attainment of the object in view."—(Moltke.)  
Hence the killing of men is fundamentally involved in war. This killing may be engaged in with delight or profound regret.  
Whatever the feeling, *killing of men remains an essential of war.*
- B. The history of warfare is therefore—
1. The history of conflicts between men which involve the sacrifice of human life. (Bloodless conflicts are not wars in the common sense of the term.)
  2. The history of the competition between—
    - a. The means and methods of killing: the development in this respect has all tended to enlarge the zone of danger about each soldier, and to intensify the danger within that zone.  
Improvement of implements of war.  
Organization of armies: multiplying the effectiveness of individual soldiers.  
Improving means of transportation and communication: enlarging sphere of action of soldier.  
Treatment of the enemy and his property.  
Provisioning of armed forces: freeing armies from dependence on the territory occupied, making them more mobile, and subjecting them to more rigid discipline.
    - b. The means and methods of defense.  
Armor.  
Counter-organization; defensive tactics and strategy.  
Fortifications.
- C. The care of the sick and wounded (and presently of prisoners of war) belongs to the history of warfare, though it came in response to humanitarian opinion rather than from an attempt to increase the effectiveness of armies.

### D. Arms and armor.

1. Shock weapons, for hand-to-hand conflict, wielded by muscular force. Even the missile weapons of this period depended upon muscular force. This style of weapon prevailed until about 1350 A. D. In this period barbarian man was about the equal of the man reputed to be civilized, as the chief test was one of individual strength and prowess.

#### a. Ancient period.

##### (1.) Eastern nations.

##### (a.) Offensive weapons.

Shock weapons: sword, club, mace, lance, pike, axe, dagger, curved sabre, spear (also missile).

Missile weapons: barbed javelin, sling, bow and arrow, spear (also shock).

Artillery: ballista, catapult, maginall.

##### (b.) Defensive armor.

Shield, greaves, helmet, cuirass (outside of Greece).

In Greece: belt-band, tunic, breast-plate, corslet.

##### (2.) Rome.

##### (a.) Offensive weapons.

Shock weapons: short sword, spatha (long sword), pilum, dagger, broadsword, thrusting-pole, lance, axe.

Missile: spear, javelin, bow and arrow.

##### (b.) Defensive armor.

Round shield, buckler, greaves, chain cuirass, tunic, scutum, helmet, breast-plate.

#### b. Mediaeval period. (Western Europe.)

##### (1.) Offensive weapons. Not much improved over past.

##### (a.) Shock weapons: sword, lance, axe, mace, leaden mallet, long knives, pike, halbert, two-handed sword.

##### (b.) Missile weapons: bow and arrow, long-bow, cross-bow, fronde, spear, sling. Long-bow first used at Falkirk, 1289; Crécy, 1346; in rural France until 1630; in China in 1860.

Artillery: as in earlier period, but less used.

(2.) Defensive armor: most highly developed of any age.

(a.) Early middle ages. Mail armor principally. Helmet, hauberk, shield, hood of mail, leg-bands, glaives, surcoat, breast-plate, back-plate, greaves, bairnbergs, etc.

(b.) Later middle ages. Plate armor, chiefly. Martial courage in the middle ages.

2. Missile or projectile weapons. About 1350 to date. For long range fighting, the projectile receiving its impulse from physical forces.

Shock weapons (sword, bayonet, etc.) still used, but of secondary importance.

Offensive weapons. Much in advance of defensive appliances, which were generally discarded about 1500 as useless.

a. Explosives.

Greek-fire; Roman candles. Name of inventor of gunpowder unknown. Berthold Schwartz.

Gunpowder used in firearms beginning ca. 1330.

Improvements in explosives.

Large grain powder. Pressed powder.

Xyloidine, 1835 (Pelouze).

Gun-cotton, 1845 (Schönbein).

Nitro-glycerine, 1846 (Sobrero).

Gun-cotton improved, 1863 (Nobel), 1865 (Abel).

Dynamite, 1865 (Nobel).

Sprengel explosives, 1873.

Blasting gelatine, 1878 (Nobel).

Nitro compounds (smokeless).

E. C. powder, 1882 (Reid).

B. N. powder, 1886 (Vieille).

Ballistite, 1888 (Nobel).

Cordite, 1888.

German smokeless powder.

Maximite, 1903.

Imperial Schultze.

Snyder explosive (1910).

Lyddite.

b. Small arms.

Hand cannon, made at Perugia, 1564.

Petronel (poitrine) 1480.

Arquebus, 1525.

Musket, about 1520.

Pistol (Pistoia, about 1500?).

Rifle, after 1631.

Repeating rifle, 1837.

Needle-gun, 1827 (Dreyse). Adopted by Prussia, 1846.

Minié ball, 1849.

Revolver, about 1850.

Breech loader, ca. 1860.

Chassepot, 1866 (France).

Magazine rifle, 1860-65.

Automatic, adopted by the Danish army, 1904.

c. Field artillery.

The earliest cannon.

Used at Cambrai, 1338 (?).

Mortar guns invented about 1430.

Bombs invented about 1500.

Came into general use in 17th century.

Iron shot displaces stone.

Petards, about 1575.

Artillery classified by Gustavus Adolphus.

Mobile and immobile.

Brass cannon, about 1635.

Chain-shot, 1666 (DeWitt).

Siege guns: mortars.

Howitzer, invented about 1750 (?).

Horse artillery, ca. 1759, by Frederick the Great.

Four pounders. Introduced into France by Gribeauval.

Carronades, 1779.

Rockets, 1803 (Congreve).

Case-shot, 1807.

Shrapnel, 1808.

Rifled cannon, Prussia, 1870.

Time fuses, France, 1870.

Percussion caps for large ordnance, Germany, 1870.

Rapid fire guns, 1891. Made possible by mastery of the recoil.

Time shrapnel, 1891.

Present day ordnance: land and naval.

"Section built" guns.

Wire wound guns.

Automatic guns.

d. Loading.

Muzzle loader.

Breech loader: ca. 1540. Abandoned. Readopted ca. 1700. Uncommon until 1865.

## e. Ignition.

Match-lock, 1484.

Wheel-lock, 1517.

Flint-lock, 1635.

Percussion cap, 1807 (Forsyth), for small arms.

Needle-gun, Prussia ca. 1840.

Electric, 1891, used only in naval ordnance.

## f. Miscellaneous.

Silencers.

Telescopic sights.

Range finders.

Searchlights, electric, or light diffusing projectiles.

## g. Improvement in accuracy and effectiveness.

Bloch: *Future of War*, 7-19; 318-330.

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## III. MILITARY ORGANIZATION AND METHODS.

## OFFENSIVE AND DEFENSIVE.

## A. Ancient period.

1. Infantry predominant.
2. Levied armies (not standing armies).
3. Armies often of great size. Xerxes expedition against the Greeks.
4. Soldiers untrained. Hence practically no tactics.  
Exception: Macedonia. The Phalanx.
5. Little strategy possible.
6. Treatment of the enemy and his property.  
No laws of war.  
Prisoners killed or enslaved. Massacres. The dead mutilated now and then for effect.
7. Fortifications. Centers of protection, not strategic centers.  
Walled cities.

## B. Roman period.

1. Infantry predominant.
2. Standing armies. Consisting of Romans first; and of mercenaries under the later Empire.
3. Armies of smaller size than in the ancient period.  
(Consult Harbottle, and Dodge: Caesar, Appendix.)
4. Soldiers well drilled, and tactics and army maneuvers well developed. Caesar.
5. Strategical movements appreciated and executed. Military roads.
6. Treatment of the enemy and his possessions practically as in the earlier period. Massacres.
7. Fortifications. Protective and strategic centers. Field camps used. Walled towns and even boundaries: Hadrian's Wall; "Vallum Romanum."  
(Chinese Wall the greatest of its kind).

## C. The Transition period, 500-800.

1. The Teutons had little of organization or tactics, but, because of their personal strength and skill restored individual fighting.
2. The Saracens introduced the use of horses into western warfare. Battle of Tours, 732.

D. The Mediaeval period, 800-1350. Western Europe.

1. Cavalry predominant. Chivalry.
2. Feudal armies. Aiding one's suzerain in war (usually for a period of no more than forty days a year) was one of the conditions of vassalage, *i. e.*, feudal armies consisted of fief holders and their squires. This gave the military class a high caste, and made fighting an honorable pursuit. This condition gradually developed a class of knights whose vows bound them always to fight for the right and to protect the poor and the weak (especially women). Their practice was, however, far from their vows.
3. Armies of moderate size. Depended on the size of a lord's fief, or, presently, on the number of men-at-arms he could retain. Crusades. Few great battles in the middle ages.
4. Knights well trained for individual fighting. Of organized fighting in battle there was a minimum. The tournament, the tilt at quintain, etc., were forms of military training. Caracolliing and the chase.  
Champions: *e. g.*, at Hastings.
5. Strategy frowned upon as somewhat dishonorable. Open battle, fought according to the prevailing code, was in favor.
6. Treatment of the enemy and his property. Object of war to profit, pay retainers, and incapacitate the enemy.
  - a. No distinction made between combatants and non-combatants.  
No restriction on brutality. Laws of chivalry only for knights and their class.  
Massacres.
  - b. Prisoners.  
Ransomed, if worth ransoming; or released for a small sum or without ransom, in case of clerics, who were regarded as inviolable.  
Mutilated, by cutting off hands, or feet, by putting out eyes, etc., in case of serfs, who were regarded as property and were valuable to their master for the work they could do, but were not ransomed.
  - c. Property.  
Looted, wantonly destroyed or ruined. Buildings and crops burned. Incendiaries a part of mediaeval armies. Cities and villages fired.
7. Fortifications used as places of retreat. Were practically impregnable and often yielded to starvation only.



E. Period of mercenary armies, 1350-1648.

1. Infantry gradually became more important than cavalry.  
Turning point, Crécy, 1346; English yeomen.
2. Mercenary armies.
  - a. With the twelfth century kings began to support armies consisting of soldiers. (The word soldier originally meant hireling.)
  - b. The introduction of firearms reduced the superiority of the mounted soldier over the infantryman.  
It also made fighting dangerous, with the result that the knight of feudal days preferred to have others do the fighting.
  - c. The mercenaries engaged to fight for a wage, and expected to profit by pilfering and stealing, etc., in war. They naturally took service with the highest bidder regardless of the cause for which they undertook to fight. War was a business with them; but disgraceful as was their ethical code, their profession continued to be considered honorable, as had been that of the mediaeval knight.  
The Swiss particularly, became mercenaries.
  - d. Supplying mercenaries became an important function. The rulers desiring military aid secured it for themselves at first. In some regions it was done by middlemen. Condottieri in Italy: Hawkwood; Sforza; Carmagnola; etc. Wallenstein most famous in Empire.
3. Armies gradually increase in size.
4. No considerable discipline or training possible in mercenary armies. However in the case in which the army consisted of nationals (Spain in the sixteenth century) there was rigid discipline and a considerable development of tactics and army drill.  
Even these mutinied for lack of pay. "Spanish Fury," 1576.
5. This period saw the development of rudimentary strategy. Made necessary by the fact that firearms required a base of supplies for ammunition, etc.
6. Treatment of the enemy and his property.  
No laws of war existed in this period, except indeed the agreements between chiefs of mercenaries not to carry conflicts to the point of extermination, as that would deprive them of occupation.  
No restriction on the treatment of the foe, whether combatant or not. Prisoners the property of the captor, who sought ransom money for them.  
Massacres.

Pilfering and wanton destruction of enemy's property the rule.

Black Prince in France, 1355-6.

"Free companies" after 1356.

Sack of Rome, 1527.

Thirty Years War, 1618-48, marks the height of wanton destruction.

Population of Germany reduced about 60 per cent, 16 to 6 millions. In some parts only one-tenth remained.

7. Fortifications begin to be centers of military action.

F. Standing armies, 1648 to date. Armies retained in time of peace.

1. Infantry continues to be the chief strength of armies.

Cavalry and artillery retained and increased.

Baggage train, engineer, signal, medical and hospital corps added.

2. Standing armies, retained in time of peace, become the rule.

Gustavus Adolphus introduced the system. His army consisted of paid nationals. This was in a way a consequence of the intense national spirit which resulted from the religious wars of the fifteenth and early sixteenth centuries; it also indicates the reaction of Europe against the excesses of mercenary warfare as shown by the Thirty Years War.

System rapidly adopted elsewhere.

Hiring troops still practiced occasionally.

Hessians in the American Revolution.

Armies consisted of—

Volunteers.

Conscripts.

Conscription introduced by Louis XIV. Became the means everywhere of bringing the army to the desired numbers, if there were not enough volunteers.

Frederick William I. of Prussia and his regiment of giants, "Potsdam guard."

Conscription under Napoleon. Boys levied when men gave out.

Conscription and volunteering gave way to—Compulsory and universal service.

Introduced by Prussia during the period of Napoleonic wars, about 1809.

All young men expected to serve for a short time with the colors; and for another period with the reserve. The whole male population trained to fight.

System gradually adopted by the continental powers of Europe.

England and the United States have not adopted it. They depend on a regular army and a reserve or militia. A considerable movement toward compulsory service is afoot in England and her possessions.

3. Armies steadily increase in size during this period. Compulsory universal service operates to increase armies automatically with the increase in population. (Bodart, p. 777-800.)
4. Training and drill of soldiers steadily improved during this period. Discipline becomes rigid.  
Louvois in France under Louis XIV.
5. Maneuvers and strategy become highly important, because of growing size of armies with the corresponding increase in the ammunition train, the adoption of a system of provisioning armies and the supply train made necessary thereby, and because of the greater effectiveness of firearms. Base of supplies.

Long and rapid marches or campaigns begun.

Marlborough; the Blenheim campaign.

Frederick the Great.

Napoleon.

Railways introduce new possibilities and problems.

6. Treatment of the foe and his property. The horrors of the Thirty Years War brought about great improvement in this direction.
  - a. Distinction between combatants and non-combatants steadily gained ground.
  - b. Prisoners. It became the rule to consider prisoners of war the property of the victorious party, instead of the individual captor.

Estimated that there were 6,000 English prisoners in France, and 27,000 French prisoners in England in 1798.

English in France 10,300, French in England 47,600 in 1811.

Civil War.

Franco-Prussian War. 374,995 French prisoners in Germany.

Maltreatment of prisoners decreased.

Massacre by Napoleon at Jaffa, 1798.

Exchange of prisoners became a practice.

Rules adopted at Geneva Convention and later  
(Lecture XX).

c. Property.

Provisioning of armies reduced pilfering and wanton  
destruction by individual soldiers.

Destruction of property remained a part of legiti-  
mate warfare.

Devastation of the Palatinate by Louis XIV,  
1688. "Brulenda est Palatina."

Castle at Heidelberg; Speyer, Mannheim,  
Worms.

Napoleon and the art treasures of the van-  
quished.

Sherman's March to the Sea, 1864.

Destruction of property, unless necessary by the  
exigencies of war, is illegal. (See Lecture  
XX.)

Violated in the Boxer War, 1900.

7. Fortifications. Strong centers serving to dominate stra-  
tegic points.

Vauban under Louis XIV.

Steady development to meet changes in armament and  
military methods.

Mines. Barbed wire.

G. Scientific warfare. Preparation for war and every possible  
contingency of conflict in time of peace. "The armed  
peace."

1. System developed by Prussia. Moltke and Roon.

Prussians in Austro-Prussian war, 1866.

Germans in Franco-Prussian war, 1870-71.

Japanese in Russo-Japanese war, 1905.

2. Aircraft in war.

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## IV. THE PROVISIONING OF ARMIES.

*(Krehbiel)*

- A. Down to the period of the Thirty Years War, little or no system of provisioning armies.

War supports war, armies live on the enemy's country if possible, if not, they live on their own.

1. Requirements of the ancients were less than those of moderns, especially in meats.

a. The oriental nations had no supply system.

b. The Greeks, and especially the Romans, developed a system.

Roman soldiers carried supplies for about two weeks, to be used when the country afforded no provisions. No baggage trains or wagons.

- c. Middle ages. Predatory warfare continued.

Armed forces took not only what they needed but all they wanted; and destroyed much of the rest.

In the Third Crusade (1189-90) only persons who had at least three silver marks were allowed to go, because the first crusade had shown that an unprovisioned expedition could not succeed. This was not provisioning an army, as each crusader was still left to find his own sustenance.

- d. Early modern period. Mercenary armies.

War a trade or profession (not without honor).

The hirelings in the trade engaged in it expecting to profit by their wage, and by what they could loot.

Each mercenary was expected to find his living. No provision, except establishing a market in the vicinity of a camp, was made to facilitate this process. The mercenary who stole his supplies, kept his wage. Therefore, his profits generally depended upon the thoroughness with which he robbed the country in which he was; whether it was foe or friend mattered little to him; he was in war for profit, not for any particular cause.

B. Since the Thirty Years War. Providing armies with supplies gradually introduced.

1. Circumstances producing the change to the new system.

Reaction against the excesses of the Thirty Years War.

Use of firearms necessitated a base of supplies anyway.

Maintaining armies in times of peace made some system of provisioning necessary for such times; and it proved advantageous to retain it during war.

Provisioning armies made rapid campaigns possible.

2. Introduced by Gustavus Adolphus, about 1630.

His armies still lived on the enemy, but the individual soldier was relieved of the necessity of finding his own provisions. This function was intrusted to foraging divisions, which were expected to take no more than necessary for the needs of the army and to keep the magazine stocked.

He also introduced the magazine system; a base of supplies kept about five days' march in the rear of the army and stocked from the land.

3. Development of the system.

Magazine system perfected in time of peace.

Became the rule to purchase all supplies for armies.

Foraging allowed, even in war, only as a last resort.

This rule could not, however, be enforced strictly, despite the penalties of flogging or hanging fixed for violations.

Supplying the army became centralized under the ministry of Louvois in France (1666-91).

Frederick the Great adopted the mobile magazine. He requisitioned the means of conveyance to aid the regular baggage train.

His method of supplying his army was the secret of his brilliant campaigns.

Relying on the magazines, and sparing the people, became so firmly fixed that the Prussians starved in their own country in the midst of plenty (1806-10). Bloch, IV, 376.

4. The modern system. Requisition and contribution.

- a. Introduced in the Revolutionary wars.

Dumouriez institutes requisitions in the Austrian Netherlands. Opposed by the Convention at first.

All private property in France declared subject to requisition, Aug. 27 and Sept. 7, 1793. (Bloch IV, 379.)

b. Napoleon's method of supplying his army.

"Getrennt marschieren, vereint schlagen."

- (1) Swift descent into the arena of conflict by as many different roads as feasible, the army requisitioning along its march the supplies necessary to it, and enough others to tide over the period of concentration and battle.
- (2) Period of concentration and battle, during which the army lived on—
  - (a) The locality in which it was by requisitions.
  - (b) Supplies collected along the line of advance.
  - (c) Supplies coming from the magazines at home (the base of supplies). Napoleon relied on the last of these as little as possible.

Napoleon's method of requisitioning was calculated to be as effective with as little friction as possible.

He assigned distinct officers to the task.

He associated with these the leading men of the community to be subjected to requisition. These men were held responsible.

The soldiers were kept out of touch with the people subjected to requisition. The supplies were brought by the people to a place indicated beforehand; there they were taken in charge by officers of Napoleon.

Maurauding was punished.

Whatever was needed was requisitioned: provisions, labor, money, treasure, works of art.

(See Bloch IV, 381 for requisitions in Prussia.)

The failure of the Russian campaign was chiefly the fault of the collapse of the method of provisioning the French army. Russia more sparsely populated than the western nations, and Napoleon could not secure the required supplies.

c. Return to the system of cash payments and convoys after Napoleonic wars (especially in Austria).

Napoleonic system gradually readopted.

Railroads change the problem of supplying armies.



- d.* Prussian system (which is that of Napoleon with slight modifications) used in 1870 is now the rule. Scientific warfare has been applied to the matter of provisioning. The capacity of the several parts of Europe to sustain armies is calculated with great care. (Bloch: IV, 481, 489.)
- e.* The conventions for land warfare have placed various limitations on requisitioning and seizing private property. (See Lecture XX.)
- On the sea private property still remains subject to capture by the enemy. (It should be made immune.)

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## V. THE CARE OF THE SICK AND WOUNDED IN WAR.

(Krehbiel)

- A. Practically no arrangements for caring for the sick and wounded in the wars of ancient or mediaeval or early modern periods.

In the middle ages the knights extended the aid required by their code. Clerics often accompanied armies and rendered such assistance as they could. They were regarded as combatants, subject to ransom.

Each knight had his squire who was expected to care for him.

Mercenaries relied on self-help and such mercy and sympathy as they might expect from fellow-mercenaries.

Sully established the first military hospital, 1594. Austria did so about the same time.

No provision was made for attending men during the course of battle.

## B. Modern times.

1. The introduction of organized means of caring for the victims of battle and campaign.

a. Larrey (later Napoleon's chief surgeon) introduced "flying ambulances." Gave primary aid to the wounded, and removed them from the sphere of action (but not during battle).

b. Percy (Frenchman) organized the stretcher-bearers (about 1793).

Collected the wounded during battle. They were regarded as combatants.

c. Napoleon's disregard for his men during his western wars; only in his Russian campaign did he show concern for their welfare.

The typhoid epidemic in the French Army, 1813.

d. Development of the military establishments and methods of caring for the sick and wounded. This process was the result of humane public opinion rather than of a feeling that the effectiveness of the army would be increased. Inadequacy shown by Crimean War.

## 2. Private enterprise to the rescue.

## a. The tragedy of the Crimean War, 1854-56.

Hunger, typhoid in the armies (no forage obtainable).

One third of French succumb to disease.

Public opinion aroused in England; fall of the Aberdeen ministry, 1855.

Private organizations come to the rescue of the sufferers in the Crimea. Florence Nightingale, (d. 1911).

The effect of this example on later wars.

## b. Italian War, 1859.

Henry Dunant at Solferino, 1859.

Dunant's experiences related in "Un souvenir de Solferino." This book contributed very largely to the results of the Geneva Convention.

## c. Civil War in the United States.

Francis Lieber Code, 1863. Scott: Texts, 350-376. Many private relief societies, estimated at about 7000.

Provided hospitals and nurses; also hospital trains and hospital ships.

Effectiveness shown at Gettysburg, where by the morning of July 4 all the sufferers of the three days' battle, July 1-3, were cared for.

## d. Private enterprise culminates in the Red Cross Societies.

## 3. The Geneva Convention for the Amelioration of the Condition of the Sick and Wounded of Armies in the Field, 1864. (Scott: Texts, 376-378.)

## a. Influence of Dunant and of Moynier, President of the Society of Public Utility of Geneva, in bringing about the convention.

## b. First meeting, 1863. Sixteen nations represented.

## c. Meeting of 1864. Same nations represented.

Provisions adopted (10 articles).

(1) Ambulances and military hospitals neutral as long as sick or wounded may be therein, and they are not held by a military force.

(2) All persons employed in connection with ambulances or hospitals shall have the benefit of neutrality, whilst so employed, and so long as there remain wounded to be aided.

(3) These persons may, even after occupation by the enemy, continue to fulfill their duties with their ambulances or hospitals, or may rejoin the corps to which they belong. To be aided, not hindered, in doing so.

- (4) Equipment of military hospitals subject to the laws of war and cannot be carried away by above persons when withdrawing. Ambulances, under the same conditions, retain their equipment.
- (5) Inhabitants of the country may aid the wounded, without being considered belligerents. They are to be encouraged in every way to aid the wounded.
- (6) The sick and wounded are to be cared for indiscriminately. Those who recover may be paroled.
- (7) Ambulances, hospitals and persons attached to them have a distinctive flag (or light at night), which must in every case be accompanied by the national flag; and an arm badge is given to neutralized persons, to be delivered by the proper military authorities.  
The badge is to be a *red cross* in a white field.  
(Turkey gave notice in 1876, that her badge would be a red crescent.)

(8-10). Ratifications, etc.

- d. Practically all nations have accepted the convention.
  - e. Diplomatic conference of Geneva, 1868, proposed to extend the above rules to naval warfare; proposal was not ratified then. This step was taken at the First Hague Conference, 1899.
4. Red Cross Societies (private organizations).
- a. Made possible by the Geneva Convention. Each nation to authorize one civic society to send medical aid to war.
  - b. In Germany and France the Red Cross Society is placed under military control, no independent volunteer service being permitted in the field.  
In England and the United States the Red Cross organizations are independent, but co-operate with the military organizations for the aid of the wounded.
  - c. American National Red Cross Society founded 1881. Clara Barton, first president (d. 1912).  
Extended its relief program to other calamities besides wars, and has rendered great service in various directions.
  - d. The several national Red Cross Societies hold international congresses at intervals. (For a list of these see *Annuaire de la Vie Internationale*, 1908-9, p. 885.)  
The Society of Geneva is regarded as a central committee.

## e. Problems of the Red Cross.

Abuse of the flag: it has been used by unauthorized persons, sometimes out of ignorance, supposing that it guaranteed immunity, sometimes deliberately to escape the fate of war.

The Red Cross in civil war. The convention permitting the Red Cross gave the society the right to perform its functions, under certain restrictions, in international wars, but failed (by oversight) to grant it the same right in case of civil war. This will undoubtedly be remedied.

5. All nations now have well developed and organized medical staffs and hospital corps attached to armies. What it is possible for these branches of the army to achieve was demonstrated by the Japanese in the Russo-Japanese War. See Seaman: *The Real Triumph of Japan*.

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## GENERAL CONCLUSIONS

1. Formerly war was waged between whole peoples; now a distinction is made between combatants and non-combatants and the latter are spared as much as possible.

2. War formerly meant personal antipathy between the combatants; now it is more nearly a conflict between interests.

3. Victory formerly meant subjection for the conquered; now the conquered often retains his independence. (See Lecture XVI.)

4. Formerly war was waged with little or no preparation, or strategy; it has gradually been reduced to a science which requires experts in all departments.

5. Formerly individual prowess counted, and a skillful fighter stood some chance in battle; now the leaders of the army are expected to have the prowess, and the private ordinarily is expected to do nothing more than obey orders (which is contrary to the spirit of democracy); and under fire the keen and wide-awake soldier has little more chance to escape death than the sluggard (except perhaps in retreat).

“ . . . the soldier knew

Some one had blunder'd:

Their's not to make reply,

Their's not to reason why,

Their's but to do and die.”

—*Tennyson*.

6. Plundering and wanton destruction of property, which were formerly the rule, are now discouraged.

7. War has grown more humane.

8. War has grown very much more expensive than it was.

9. War was formerly decided upon by the rulers and they, if anybody, were the beneficiaries; their subjects who fought risked life and gained little except by plunder. Today the people as a whole have a voice in deciding upon war but get little out of fighting except the satisfaction of being victors. Others get the prizes. The realization of this and the enlargement of the power of the people militates against war.

## VI. HISTORY OF NAVAL WARFARE.

*(Krehbiel)*

## A. Wooden ships.

1. Galleys, propelled by oars, used in ancient and mediaeval times. Bireme, trireme, quinquireme.

a. Armament practically the same as for land warfare. Javelins, spears, bows and arrows, grappling poles and irons, stone hurlers, combustibles (Greek fire), rams.

b. Armor and protective devices.

Awnings of hides, braces to withstand ramming, moveable walls and turrets, girdling cables.

c. Personnel.

Galleys usually manned by slaves and convicts. Even in the time of Louis XIV sentencing men to the galleys was in vogue; to supply the needed men, Louis XIV instructed his judges to sentence vagabonds to the galleys.

Many Christians in bondage in Turkish galleys.

Galley slaves treated with utmost cruelty.

d. Tactics.

Galleys drawn up in two or three lines or in a single line in the form of a crescent with the horns facing the enemy.

In attack it was considered desirable to have both wind and sun behind the attacking force.

Galleys sought to ram their opponents.

When galleys came into collision, hand-to-hand conflict settled the issue just as on land.

This type of tactics remained practically unchanged to the Battle of Lepanto, 1571.

e. Galleys gradually became larger. Toward the close of the middle ages Venice was the leading maritime power; other states in need of galleys rented from her.

2. Sailing vessels, dependent on the wind.

a. Vessels relying on the wind rather than on propulsion by oars, appeared in the fourteenth century. For a long time ships retained oars along with sails.

- b. Increased in size over the galleys.  
Sea-going (made possible by the compass) made larger ships desirable.  
The introduction of artillery for ships made larger ships necessary. Mortars used first. With the adoption of cannon, gun-ports were introduced.
- c. Distinction between merchant- and war-ships began during the sixteenth century.  
Governments were slow to acquire fleets. At the time of the Armada, 1588, England possessed about half a dozen vessels; the others were hired.  
Ship of the line.  
Frigate (originally meant a fast sailing merchant vessel).  
Carried sixty guns by 1600; this number steadily grew.  
Classification of fighting craft began in England about 1650.  
Russian fleet begun under Peter the Great.  
Rivalry of the English and French upon the sea during the seventeenth and eighteenth centuries, culminated at the time of Napoleon in the Battle of Trafalgar, 1805, (Nelson) and the triumph of England.
- d. Tactics.  
Little development in the way of tactics for two centuries after the Battle of Lepanto. Ramming abandoned.  
The "Invincible Armada," 1588.  
The Dutch made the first attempts at formation in naval battle: line formation, front attack.  
About 1700 maneuvering to gain the wind of the adversary, and to attack in order in line ahead formation began to be important.  
By 1775 the English had abandoned the front attack.  
Using a feint to draw aside a part of the opposing fleet, they fell upon the line of the foe with superior force, and defeated his vessels in time to deal with the ships which had allowed themselves to be drawn aside.  
The French and other navies adhered to the old methods.  
Bar-shot and cutlasses used to injure the enemy's rigging; red-hot shot, to set him afire; boarding tactics as of old.



Rules governing the treatment of the enemy were unknown.

Notable naval engagements (besides those mentioned above).

"Bonhomme Richard" versus "Serapis" (John Paul Jones) 1779. One of the longest battles between single vessels on record.

Battle of Aboukir Bay, (Nelson), 1798.

"Constitution" versus "Guerrière," 1812.

Battle of Navarino, 1827.

3. Steam ships, dependent on coal or fuel supply.

a. Side-wheel.

Fulton's "Clermont," 1807.

Steam propulsion hesitatingly adopted by navies before 1840.

b. Screw propulsion.

First tried in a warship by the United States, in the "Princeton," 1840.

Speed attained made the venture a success.

Rapidly adopted by English and French navies.

The superiority of the English and French vessels over the Russian in the Crimean War, 1854-6, marked the passing of the sailing vessel for naval purposes.

B. Armored and steel vessels.

1. First attempts at armoring said to have been made at Antwerp in preparation to resist the Armada.

Armored floating batteries, used by the English and French in the Crimean War, proved the utility of armored devices and gave an impetus to armoring ships.

2. Napoleon III, in 1858, ordered the construction of the "Gloire," the first armored vessel. The exposed parts of a frigate were covered with iron plates.

3. England immediately improved on the plan in the construction of the "Warrior." The whole vessel was of iron, the exposed parts being armored. Water-tight bulkheads introduced.

4. The first engagement between ironclads was that of the "Monitor" and "Merrimac," 1863. This battle numbered the days of wooden vessels.

5. Battle of Lissa (Austria versus Italy), 1866, demonstrated the utility of rams in steam vessels.

6. Battles of Manila Bay and Santiago, 1898.

7. Battle of Tsu Shima Straits, 1905. Demonstrated the superiority of long-range guns in naval warfare and gave the impulse to the building of dreadnoughts.

## 8. Laws of warfare on the sea.

- a.* In this period the agitation for the adoption of rules governing conflicts at sea was partially successful in the Hague Conferences. (See Lecture XX.)
- b.* Agreements respecting property, especially of neutrals, at sea during war were accepted. These agreements do not, however, grant property the same immunity that it possesses on land.

## C. Present situation.

## 1. The rivalry continues between—

*a.* Armament and size of vessels.

Each nation has its peculiarities, but in general all follow the prevailing fashion. At present the fashion is toward ever-growing dreadnoughts (all-large-gun vessels), each of which has a greater tonnage—and in consequence, a greater cost—than its predecessors.

*b.* Armor, of which there are various makes.

## 2. Notable appliances and experiments.

Torpedoes and torpedo boats. First experiments, 1775.

Practical use began about 1863.

Electric mines. First tried about 1861.

Search lights, since 1860.

Coaling at sea. First tests made in 1890.

Submarines. Recent experiments at governing them from land by electricity.

Turbine engines first used in vessels in 1897.

Internal combustion engines.

Oil burners.

Torpedo nets.

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## VII. DIFFERENT TYPES OF WAR IN MODERN TIMES.

(Jordan)

## A. Civil war: war within the boundaries of a nation.

1. Caused usually by tyranny, lawlessness, ignorance, or misunderstandings, *i. e.*, by the failure of the nation to perform its normal functions. Brigandage. Balkan States.

- a. In a well-governed nation courts replace violence; in an ill-governed nation the courts may be set aside or made instruments of tyranny or plunder.

- b. In a well-governed, and especially in a self-governed nation violence is in the nature of treason; in an ill-governed nation violence has meant patriotism, the last resort of "murdered, mangled liberty."

- c. Democracy provides machinery to settle all questions between man and man.

The public, being the chief sufferer, has the right and duty to enforce the peace.

No cause under democracy is important enough to justify violence in its behalf, as justice can be won without violence, not by it.

"The force of arms must be kept far from matters of the Gospel."—(Luther.)

"To keep unreasoning anger out of the councils of the world."

2. Inevitable when people suffer from injustice or when people fail to enforce order.

Revolt against absolutism and the squeeze process: China, Mexico, Persia, France, labor-riots, tax-riots, bread-riots.

3. Examples of civil war.

- a. American Revolution: "taxation without representation."

- b. French Revolution: taxation without limit; "l'état c'est moi."

- c. Civil war in United States: state rights and slavery.

- d. Boxer war: invasion of foreigners, revenge of Europe.

- e. Mexican insurrection: contempt of courts and constitution; farcical elections.
- f. Revolutions in Spanish America: ambitious usurpers.
- g. Class wars: labor against capital.
- h. Dynastic wars: pretenders.
- i. Agrarian riots: Champagne; L'Ouest railways.
- j. Race riots: lynching in the southern states.
- k. Picketing, boycotting, and other petty warfare. France, Sweden, New Zealand, Canada.

B. International war: war between organized nations.

Passing, on account of burden of debt, cost of armament, refusal of laboring men to fight, opposition of commerce, prohibition by high finance, growing intelligence of people and growing respect for other nations and races. Impossibility of feeding or controlling an army against modern weapons.

C. Imperial wars: wars for subjection or extirpation of weaker races.

A *republic*: a self-governed state, with elective executive.

A *kingdom*: a homogeneous people having a common titular head, the king.

An *empire*: a group of different peoples united by force or by agreement, under a common titular head, the emperor.

Instability of empire.

Imperial wars, those for the extension of control over alien districts.

For exploitation. China, Persia, Tripoli. Peaceful occupation and loans to repay expenses. Dollar diplomacy.

For bringing order out of chaos. Cuba, Korea, Morocco.

For assimilation. Korea, Finland, Alsace-Lorraine, Schleswig, Holstein.

Benefits of imperial domination.

Evils of imperial domination.

On the ruling nation.

On the people ruled.

Cost of imperial domination.

Jealousies of imperialism.

Relation of navies to imperialism.

Government of colonies in interest of resident people.

Government by "brassbound and hidebound militarism as though colonies were enemies' camps."

Alleged duty of strong nations to keep order. "Pax Britannica."

Alleged duty of strong nations to extirpate weak peoples: "Social Darwinism."

"Let him who falls in the press lie there and be trampled broad."

Does right and wrong exist in international affairs?

Is a deed of violence by a nation justified by the advantages it brings to some or all of those who suffer by it?

Does the growth of California justify the war on Mexico?

Do the needs of Japan justify the occupation of Korea?

What are the ethics of imperialism?

What are the economics of imperialism?

## VIII. ECONOMIC CONSEQUENCES OF WAR.

(Krehbiel)

## A. Destruction of property.

1. Formerly an essential part of war: war must support war.
2. The tendency of law-making has been to make property immune from warfare as far as possible. (See Lecture XX.)

## B. Disturbance of economic conditions. War is pathological, as it produces an abnormal economic condition.

Preparation for war in time of peace has tended to make the disturbance at the outbreak of war less violent. Advance information about war. (See article by Childe in *Harper's Weekly*.)

1. Interruption of business at many points (not only between foes).
2. Withdrawal of large numbers of men from their regular pursuits in factories, offices, and on farms; draft animals needed for war purposes.
3. Rise in prices and wages. (Wages do not rise in concert with prices. Dewey: *Financial History of U. S.* 294.)
4. Change in demand: war goods wanted.
5. Rise in insurance rates (both for goods on land and sea).

C. The cost of wars. (Mass. Commission on the Cost of Living: *The Waste of Militarism*, p. 7.) (See table on page 43.)

## D. Financial consequences.

War means enormous expense to a government.

Credit of the government immediately sinks; its paper (bonds and paper money) fall in value. (See plates in *Journal de la Société de Statistique de Paris*, 1909.)

Specie (especially gold) is forced out of circulation; hoarded.

Runs on banks are to be feared.

Banks (perchance the government) may be compelled to suspend specie payment.

Loans recalled; interest high; bankruptcy to be feared.

Financing the war. (Based on the Civil War.)

The government issues bonds. These must be of a character to induce moneyed interests to buy.

Must bear high rate of interest (preferably payable in gold).

Must perhaps be put on sale at a discount.

Must offer suitable terms of conversion or redemption.

(The patriotism and courage of purchasers of such bonds.)

Issuing bonds means indebtedness.

Customs and excise duties. War tariffs.

Duties on imports payable in coin (often gold).

Why?

Taxes increased. But not too much, as people must not feel the burden of war too directly.

Fiat money. Non-interest bearing paper. Greenbacks.

(Assignats in France.) Debt in another form.

Redeemable:

Not too soon, or the government cannot meet its obligations.

Not too late, or the paper will depreciate.

Legal tender.

If not made a legal tender, it will fail of its purpose.

If made a legal tender and received for customs and taxes, the government will get no coin.

Hence legal tender except for certain payments to the government; which causes depreciation.

For depreciation in Civil War: Dewey, 293.

#### E. Recovery from the war.

Resumption of normal economic life. Danger of booms or inflation.

Disbandment of armies.

War debt to be repaid. (Do financial interests want the governments to get out of debt?)

The rehabilitation of the war equipment.

Results of the acquisition or loss of territory. (Lecture XV.)

Results of the payment of indemnities on conqueror and conquered. France and Germany, 1870-1880.

Pensions.

Repudiation of war debts (sometimes).

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## THE COST OF WARS.

DATES	COUNTRIES ENGAGED	COST
1793-1815....	England and France .....	\$6,250,000,000
1812-1815....	France and Russia .....	450,625,000
1828 .....	Russia and Turkey .....	100,000,000
1830-1840....	Spain and Portugal (civil war) ..	250,000,000
1830-1847....	France and Algeria .....	190,000,000
1848 .....	Revolts in Europe .....	50,000,000
1845 .....	United States and Mexico.....	
1854-1856. {	England .....	371,000,000
	France .....	332,000,000
	Sardinia and Turkey .....	128,000,000
	Austria .....	68,600,000
1859 .....	Russia .....	800,000,000
	France .....	75,000,000
	Austria .....	127,000,000
	Italy .....	51,000,000
1861-1865....	The rebellion .....	5,000,000,000
1864 .....	Denmark, Prussia, and Austria..	36,000,000
1866 .....	Prussia and Austria .....	330,000,000
1864-1870....	Brazil, Argentine, and Paraguay	240,000,000
1865-1866....	France and Mexico .....	65,000,000
1870-1871.. {	Germany .....	954,400,006
	France .....	1,580,000,000
1876-1877.. {	Russia .....	806,547,489
	Turkey .....	403,273,745
1898 .....	Spain and the United States....	1,165,000,000
1900-1901....	Transvaal Republic and England	1,000,100,000
1904-1905....	Russia and Japan.....	2,500,000,000
Expense of wars, 1793-1860.....		\$ 9,243,225,000
Expense of wars, 1861-1910.....		14,080,321,240
Total .....		\$23,323,546,240

## IX. THE WORLD'S WAR EQUIPMENT AND EXPENDITURE.

(Krehbiel)

## A. In men.

## 1. Land Forces, classified. (Sundbärg)

a. Officers .....	227,537	
b. Infantry .....	2,651,625	
c. Cavalry .....	491,967	
d. Artillery .....	601,350	
Total classified .....		3,972,479
e. Colonial (Great Br., Portugal, Netherl.) .....	281,026	
f. Miscellaneous .....	1,345,698	
Total unclassified .....		1,626,724
Grand total, peace standing .....		5,599,203

2. In the navies. (Sundbärg) 46 nations. .... 422,737  
 (World Almanac, 1912, 580, gives the figure at 488,378 men for 22 navies.)  
 Guardians of the world's peace ..... 6,021,940

3. War footing (not including U. S.). (World Almanac, 1912, 580) ..... 20,228,100  
 U. S. organized militia (World Almanac, 1912, 649) ..... 121,803  
 Total war-standing ..... 20,349,903

B. In draft animals, etc. Horses (Sundbärg) ..... 741,656

## C. In military and naval stations.

Fortifications: their distribution illustrated.

Barracks, drill-grounds, arsenals, proving grounds, gun and ammunition factories and depots.

National cemeteries.

Navy yards, ship yards, docks, coaling stations, etc.

For details about the U. S., Heitman: Historical Register, II.

## D. Vessels. All types (Sundbärg) 2848.

Situation of naval powers in March, 1912, according to Navy League Annual, 1911-1912, p. 267. (See table.)

# SITUATION OF NAVAL POWERS IN MARCH, 1912, IN SHIPS BUILT, BUILDING, AND PROJECTED.

	British Empire	U. S. America	Germany	France	Japan	Russia	Italy	Austria	Sweden	Holland	Norway	Denmark	Spain	Portugal	Greece	Turkey	Brazil	Argentina	Chili
1. Capital Ships . . A.	40	18	16	10	8	6	4	4	—	—	—	—	3	—	—	2	3	2	2
B.	10	—	5	—	8	—	—	6	—	—	—	—	—	—	—	—	—	—	—
C.	22	16	20	14	7	6	—	—	—	—	—	—	—	—	—	—	—	—	—
D.	—	7	2	2	3	3	4	6	14	13	6	6	1	1	3	14	3	7	3
2. Armd. Cruisers A.	9	4	1	—	—	1	4	—	—	—	—	—	—	—	1	1	—	—	—
B.	25	11	8	18	9	5	5	2	—	—	—	—	3	—	—	—	—	4	2
C.	—	—	—	3	1	—	1	1	1	—	—	—	—	—	—	—	—	—	—
3. Prtcd. Cruisers A.	50	3	12	3	2	7	—	—	—	—	—	—	1	—	—	—	—	—	—
B.	44	11	28	2	12	1	6	9	—	6	—	—	3	1	—	3	4	3	2
C.	5	7	5	6	7	1	2	3	3	3	2	5	1	5	1	2	6	2	2
4. Torpedo-Gunboats	13	—	—	3	4	6	5	7	—	—	4	—	4	—	—	5	4	2	2
5. Destroyers . . . . A.	138	34	73	18	17	30	12	12	12	8	—	—	—	1	—	4	15	12	6
B.	88	16	49	66	55	72	23	54	36	18	9	6	7	2	12	6	—	3	6
6. Torpedo Boats A.	49	22	4	153	24	29	61	54	22	28	34	2	24	—	—	12	14	—	—
B.	128	9	73	41	51	18	50	41	22	28	34	23	7	9	12	?	18	37	19
7. Submarine Boats	83	42	36	81	15	35	20	12	6	6	4	3	—	1	1	?	3	1	2

NOTES.—*Capital Ships.* A.—Modern ships of 15,000 tons or over. B.—Battleship-Cruisers. C.—Modern ships of over 10,000 and under 15,000 tons. D.—Older ships fitted for subsidiary services or modern craft of under 10,000 tons displacement.

*Armored Cruisers.* A.—Ships steaming 21 knots, and mounting at least four heavy guns of 9.2 in. calibre or over. B.—Ships of 6,000 tons or over not included in Class A. C.—All other armored cruisers.

*Protected Cruisers.* A.—Modern ships of over 5,000 tons. B.—Modern ships of over 2,000 and under 5,000 tons. C.—Vessels fitted for subsidiary services not included in classes A and B.

*Destroyers.* A.—Ocean-going craft of 500 tons or over. B.—All other destroyers.

*Torpedo-Boats.* A.—First-class boats of less than eleven years of age. B.—All other boats.

## E. Air craft.

## 1. Types.

*a.* Lighter-than-air: balloons and dirigibles.

Rigid: Zeppelin.

Semi-rigid: Gross (German); La Republique (French).

Non-rigid: Perseval (German); Ville de Paris (French).

*b.* Heavier-than-air: aeroplanes (various makes).

## 2. Performances.

3. Military uses: dropping explosives forbidden for a limited period. (Hague.)

4. Number of air craft used by armies not ascertainable.

## F. Miscellaneous war materials.

Uniforms, utensils, repairs, stores, hospital equipment, engineering outfits, telegraphic appliances, etc.

Large guns on land, 20,904; on ships, 21,207 (Sundbärg).

## G. War implements rapidly depreciate in value.

1. Every bit of progress in science and invention tends to put the existing equipment out of date.

2. Under the present system armaments must be up to date; old implements are about as good as none.

3. Keeping armaments up with improvements costs money; the more there is of inventive genius, the greater the cost.

## H. The cost of maintaining armaments, and the results.

1. Nations have enormous military budgets. (Appendix, Table B and Allen: Drain of Armaments, Table II.)

*a.* The cost per individual soldier (Allen, Table III. Also Mulhall: Statistics, "Army").

*b.* The military charge per individual citizen (Allen, Table IV).

2. The military expenditures of nations are out of proportion to the civil expenditures. (Allen, Table V and Appendix C.)

*a.* The Philippine Islands, Canada, and Korea have the burden of defense borne by others and enjoy the advantage of using practically all revenues for civil purposes.

*b.* Belgium and Switzerland, being neutralized, can limit their military expenditures.

3. Military expenditures have steadily increased as a consequence of competition for military and naval supremacy. (Allen, Tables VI-VIII.)

- a. The relative position of competing nations remains about the same; a proportional reduction of armaments would operate just the same way, but would be economical.

# I. Results.

## 1. Public debts.

- a. The history of national debts (Lecture X).
- b. National debts and interest charges are steadily growing. (Appendix, Table A, and Allen, Tables IX-XI.)
- c. Public credit is weakened, as appears from the prices commanded by government bonds.

## 2. High cost of living.

## 3. Socialism.

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## X. THE PUBLIC DEBT OF NATIONS.

*(Jordan)*

"God is not sinless, He created borrowers."

Small debts of kings.

Borrowed money; wasted money.

Paid by new loans; by scaling, by confiscation, by fiat money,  
by extortion, by plunder.

"L'état, c'est moi!" All the people merely squatters on the  
royal property.

"Après nous le déluge!"

Small war debts of Eighteenth Century.

Making war pay its way.

System of deferred payments.

Repudiation of debts by kings.

Constitutional government makes borrowing possible.

Began with Pitt in England, just before 1800.

"The last check upon war given up."

"O, how I leave my country!" (Pitt's last words.)

Credit prevents plunder. Banks filled with paper, not coin.

Rise of war debts in Nineteenth Century: A device of the Nine-  
teenth Century.

Increase in size of armies—due to great mortality.

Cost of equipment—due to scientific invention.

Change from the wooden fleet of 1812 to Dreadnoughts of  
1910, costing upwards of \$12,000,000. Succeeded  
perhaps by swift hornets, sending dreadnoughts and  
super-dreadnoughts to the junk heap.

War necessarily prepared for long beforehand.

Germany; Japan; France; United States; Canada.

War preparations bankrupt the nations. How those thrive who  
have part in supplying means of war; the Unseen Empire  
and the Armament Syndicates.

Debt of Europe (mostly war debt) now \$26,000,000,000.

This debt is not all for war, especially in France. However,  
as all nations could pay their ordinary expenses out  
of their ordinary revenues, were it not that they are  
prevented by war and the preparation for war, nation-  
al debt may properly be called war debt.

Rise of the Unseen Empire.

Mayer Amschel, pawnbroker. "Der rothe Schild," Frankfurt-on-the-Main.

The Landgrave of Hesse Cassel.

The Hessians (12,000 soldiers loaned to the British as "Volkshülfer").

Nathan Rothschild and Waterloo.

Nathan Rothschild and the Bank of England.

Alphonse de Rothschild and the indemnity of France.

Wealth of Rothschilds estimated at \$2,000,000,000.

Bleichröder, "The little man who had counted gold ever since the Christian Era."

Baron de Forest (London).

Fould, supporter of Napoleon III.

Hirsch, Austria and southeastern Europe. (\$700,000,000.)

Cassel, the Nile; "uncle" of kings.

Sassoon, India; Stern, Portugal; Goldschmid.

Günsburg, Russia; "uncle" of the Czar.

Montefiore, Australia. Mendelssohn. Ephrussi.

Bischoffsheim. Warschafski. Camondo, Turkey; "uncle" of the Sultan. Warschauer.

Ralli, "Lord of the Levant." Pereire, France. Wertheimer  
The Unseen Empire or the debt which controls Europe.

To control a railroad or a nation is not to own it, but to "absorb" or to "adjust" its debt.

Countries not controlled:

Uncivilized states, not yet ready to borrow money.

Small states of Europe.

United States.

Canada.

English houses have about \$16,000,000,000 invested abroad.

\$2,400,000,000 in America; \$7,000,000,000 in British colonies; \$550,000,000 in Japan; \$2,000,000,000 in Australia. (Cf. Lecture XXXIII.)

Among the English people only six in a hundred leave a last will and testament. Wealth is in very few hands.

Two thousand five hundred men own one-half of Great Britain; fifteen millions live on five dollars a week.

New York has \$250,000,000 invested in Europe.

Theory that the nation belongs to the present generation with no thought of the future.

Evils of deferred payment.

Evils of indirect taxation.

National debt the basis of international credit.

The Unseen Empire, the guarantee of the peace and financial stability of Europe.



When all the money is in the hands of professional financiers  
finance will be stable.

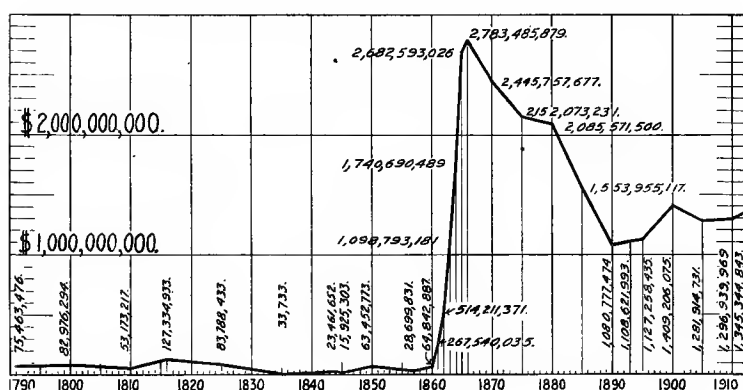
Devices for increasing national wealth by diverting money from  
the poor who make poor use of it to the strong who can  
make money grow.

The kings become puppets or go into banishment. The masters  
of Europe take their place.

Meanwhile what of Democracy?

"For after all this is the people's country."

### THE PUBLIC DEBT OF THE UNITED STATES.



Figures for the years 1791-1859 derived from Annual Treasurer's Report for 1893, page xcvi.

Figures for the years 1860-1894 from Annual Treasurer's Reports. Tables on "Analysis of the Public Debt."

Figures for the years 1895-1912 from Monthly Treasurer's Reports.

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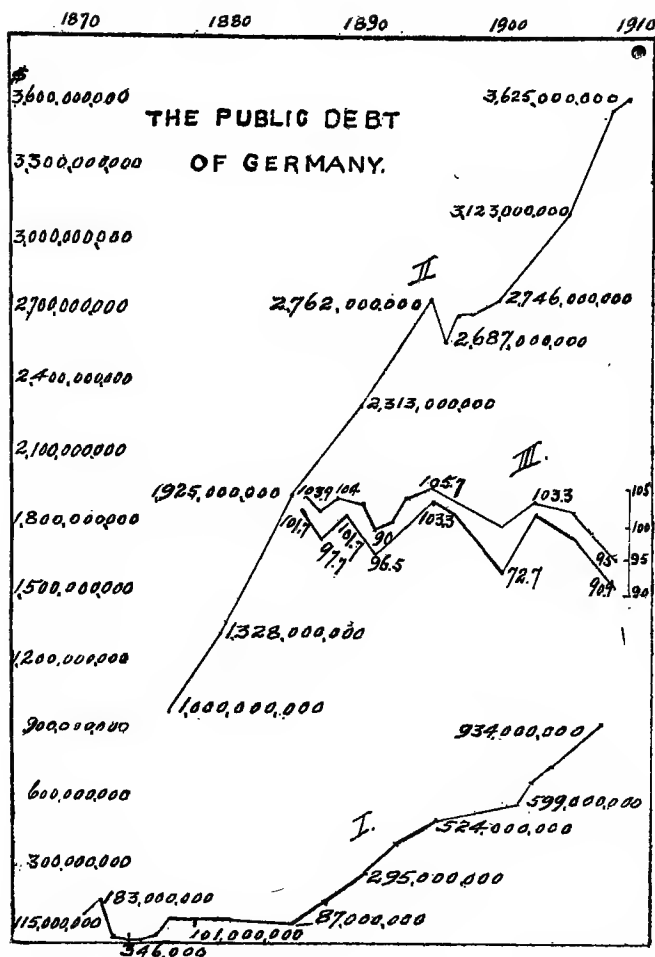
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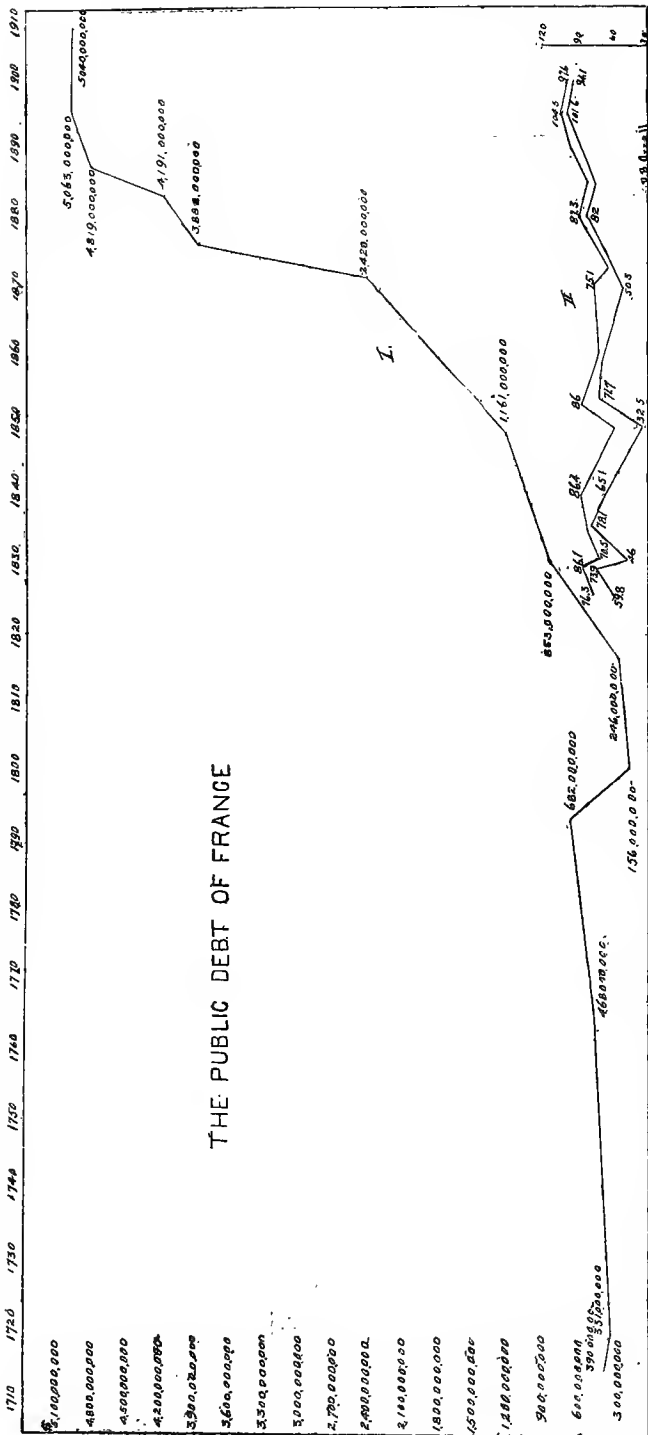
# THE PUBLIC DEBT OF GERMANY.



(The scale of this plate is twice that of the other plates.)

- I. The Imperial debt.  
[Source—British Statistical Abstract, 1908, 319.]
- II. Debt of the German States.  
[Source—Pfitzner: Entwicklung der kommunalen Schulden in Deutschland, p. 36.]
- III. Fluctuation of German bonds.  
[Source—Journal de la Société de Statistique de Paris, Vol. 50, p. 362.]

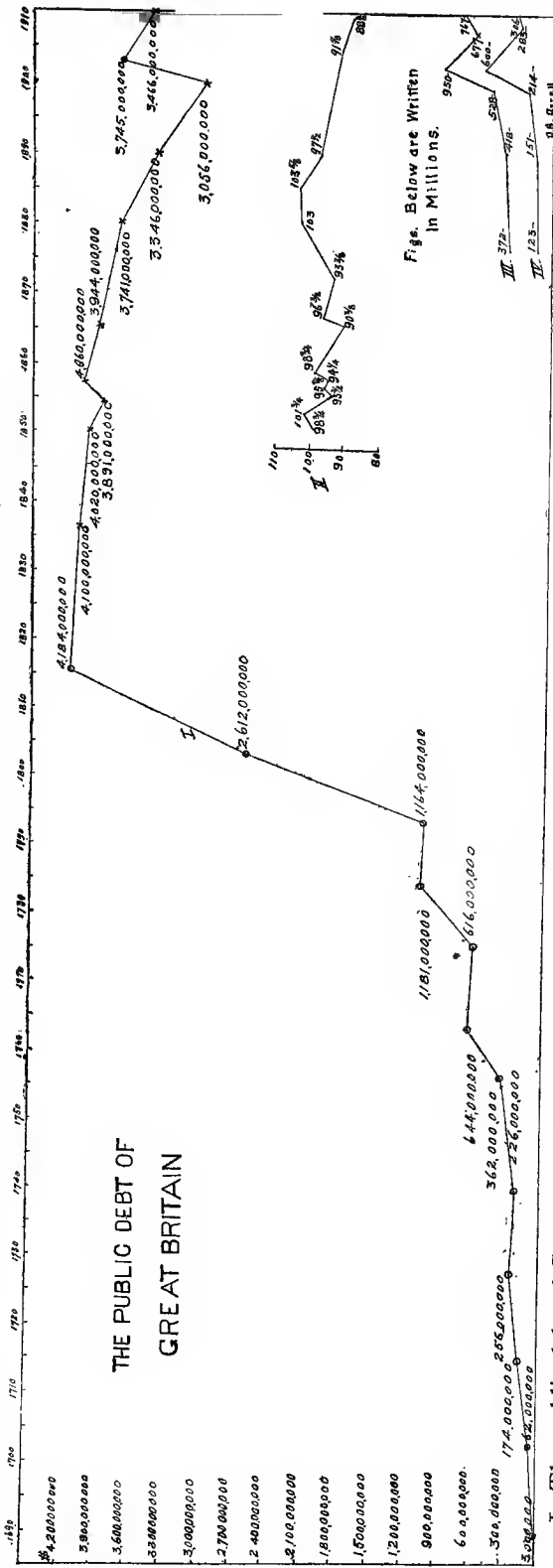
# THE PUBLIC DEBT OF FRANCE.



I. The public debt of France. [Source—British Statistical Abstract, 1908, 323.]

II. Fluctuation of French bonds (showing both high and low prices). [Source—Journal de la Société de Statistique de Paris, Vol. 50, p. 369.]

# THE PUBLIC DEBT OF GREAT BRITAIN.



Figs. Below are Written  
In Millions.

## XI. ARMAMENT SYNDICATES AND WAR SCARES.

(Jordan)

## A. Armament syndicates.

Francis McCullagh, in the *New York Evening Post*, describes the greatest "of the unseen and pernicious forces with which economists have to contend." These are "the powerful companies which exist to produce armaments and which have been encouraged to increase their capital obligations within the last few years by the successive scares and naval programmes of the last decade."

The capitalization of the six leading English firms is thus given in the London *Morning Leader*:

	ISSUED SHARE CAPITAL	DEBENTURE CAPITAL
Vickers' Sons & Maxim.....	£5,200,000	£2,956,200
Cammell, Laird & Co. ....	2,372,895	1,728,511
Armstrong, Whitworth & Co. ..	4,210,000	2,500,000
Wm. Beardmore & Co. ....	2,000,000	1,716,621
John Brown & Co. ....	3,218,500	1,018,292
Thames Ironworks Co. ....	600,000	261,044
Total .....	£17,601,395	£10,180,468
	\$85,368,765	\$49,375,267

This list is by no means complete so far as England is concerned. "The importance of these figures," says the correspondent of the *Post*, "is evident. The country has encouraged private concerns to expend these sums so that they may be productive of profits year by year for the benefit of their shareholders. Any restriction in the building of armaments either by the home or foreign governments has disastrous results on the year's profits. It requires no stretch of the imagination to see that the enormous numbers of investors in every class of society scattered through the country exert a subtle influence in favor of the expansion of armaments. The numbers are not so much as the quality. According to the *Investor's Review*," the social position of some of the leading owners of three of the principal firms is as follows:

	VICKERS' SONS & MAXIM	JOHN BROWN & Co.	ARMSTRONG, WHITWORTH & Co.
Duke .....	2	1	
Marquess .....	2		
Earl, baron, or wife, son, or daughter of .....	50	10	60
Baronet .....	15	2	15
Knight .....	5	5	20
M. P. ....	3	2	8
J. P. ....	7	9	3
K. C. ....			5
Military or naval officer ..	21	2	20
Naval architect or govern- ment contractor .....	2		
Financier .....	3		1
Journalist (including news- paper proprietors) .....	6	3	8

The plant of Vickers' Sons and Maxim is prepared to lay down and complete three Dreadnoughts in three years without going outside its own factories.

In referring to the standing army of 1,041,000 men now maintained by the British Empire, Mr. G. H. Perris says (*Hands Across the Sea*, p. 10) [The figures upon the size of armies given by Perris are larger than those usually given]: "This is the largest peace establishment in the world, with the exception of the Russian army, which is of about the same size. Those of Germany and France number only about 650,000 men. Of the million of our soldiery, 776,000 are Britishers, 665,000 being located at home, and the remainder exiled mainly in tropical or sub-tropical lands. To this 776,000, we must add 185,000 men of the Fleet and the Naval Reserve. And behind this force of 961,000 able-bodied and middle-aged Englishmen, there lie two bodies, also of adult men, most skilled and able-bodied, whose numbers can be only approximately determined: (1) Those engaged in the arsenals and dockyards, and the numerous armament trades, and (2) Pensioners, small and large, possibly 100,000 of them, since their cost on the Estimates is about 2,500,000 pounds a year.

"The probability is, then, that at least 1,500,000 adult able-bodied men—or one in six of the "occupied" adult males of the United Kingdom—share, to some extent, in the 65,000,000 pounds a year which we spend on the twin 'defense' services. Thus, even when we remember that many of these, like the 'Terriers' and Reservists, get a mere allowance, while a large part of the regular army is paid for by India, it will be seen that we have here the

most widely ramified of all our vested interests, a fearful drag upon reproductive industry, and an influence which must often diverge from the straight line of democratic advance. The big prizes, of course, all go to a small class of financiers and industrial magnates, who, in order to keep the game going, exert a thoroughly pernicious influence on Parliament and middle-class opinion. The higher officer ranks of the army and navy are an aristocratic preserve, and are highly organized for the advancement of their professional interests. This alliance of money power and class power, whose shibboleth and trademark is 'Imperialism,' includes the most determinedly reactionary elements in British society."

"War," says the German Colonel Gädke, "is the father of other wars. The more we think of our own power and ability, the oftener we have tasted of the fruit of victorious war, the more are we surrounded by the evil spirit of Chauvinism and of Imperialism. War is the father of other wars."

**B. War means business for armament makers,**

1. Roar of indignation at the discharge of men from Woolwich at the close of the South African War (Syndicates for War, p. 7f.)

2. Similar conditions elsewhere.

- a. "King Krupp of Essen." Embassadors in every capital, "strong, silent men," covered with glory when they stir up trouble. Egging powers to purchase arms by showing orders of rivals.

- b. In Japan. The *Times* says of *Mitsu Bishi* (a ship-building firm) that it was difficult sometimes to say where this firm began and where the government ended. Probably literally true as the government is a partner in the *Mitsu Bishi*.

- c. Millions spent in "tips" and *douceurs*.

- d. Trail of bribery everywhere. Servia, Russia, Argentina, Turkey.

Russia the paradise of the armament maker.

- c. Sale of old weapons, to Albanians, Arabs, Abyssinians, Moors, Central Americans, Central Africans, Caucasians, Afghans, Chinese, Senegambians.

"Civilization in the Dark Continent has much to answer for, beginning with rum and ending with rifles."



### C. War scares mean business for armament makers.

#### 1. Origin of war scares.

##### a. Irresponsible talk and ignorance of the facts.

"If our navy should shrink to lesser proportions and should be permitted to fall below the level of Germany, France and Japan, these nations would bully our commerce and insult our Monroe Doctrine whenever they felt like it."—Republican Peace Committee, New York.

Germany says, "War is the only means of fulfilling national purpose. Preparation for war seems the first business of government."

"If, while nations remain, war is to be abolished, then unless the degeneration of people can be prevented, to say there shall be no more war means there shall be no more progress."

"Many thousand Japanese troops already established in the guise of settlers in the United States and in Mexico."

"Japan has bought secretly from Mexico a coaling station in Magdalena Bay."

"The Shadow of Conflict and of displacement greater than any which mankind has known since Attila and his Huns were stayed at Chalons is visibly impending over the world. Almost can the ear of imagination hear the gathering of the legions for the fiery trial of peoples, a sound vast as the trumpet of the Lord of Hosts."

"The waning fleet of Great Britain is tied to its own shores by German menace."

"In time of peace, prepare for war."

##### b. The military element, "bored almost to death, kept from quarreling only by the strictest discipline, officers and men, separated from family and with no hope of the future except from war."

"Just as nervous and just as persistent" when a thousand millions more are wasted as they are now.

Alliance with protected interests.

Jingoism: turning aside reforms.

##### c. Yellow journalism.

##### d. Armament syndicates.

"Look for the simplest motives in explanation of action or of conduct; somebody makes something by reason of the huge expenditures in preparation for war."

"Have you ever noticed that about the time that appropriations for military purposes are under consideration in Congress, in the House of Commons, in the Chamber of Deputies, or in the Reichstag, or just before such a time, hostilities are always on the point of breaking out in two or three parts of the world at once?"

"It might be worth while to make some measurement of the sincerity and disinterestedness of the lively type of patriotism which accompanies these military and naval debates the world over."

## 2. War scares.

### a. *England*:

Danger of German aggression. "The Englishman's Home." Need of armament  $2\frac{1}{2}$  times that of any other nation, to protect commerce and colonies. African problems. Revolt of India. Incursion of Russia along Persian frontier. Imminent seizure of Holland and Belgium by Germany.

### b. *Germany*:

Dominance of Great Britain. Unprotected commerce and colonies. Aggressions on Persia. Pan-slavism. Alsace-Lorraine. Africa (Morocco and Congo). Asia Minor (Bagdad railroad).

### c. *France*:

Germany in Holland; Africa.

### d. *Austria*:

Panslavism. "Italia Irredenta." Balkan States.

### e. *Italy*:

"Italia Irredenta," Tripoli.

### f. *Russia*:

Japan, Germany, England, Sweden, Poland, Persia, Turkey, China.

### g. *Australia*:

White Australia.

### h. *Persia*:

England, Russia, Turkey.

### i. *United States*:

Europe and the Monroe Doctrine. Germany and Southern Brazil. Designs of Japan (See Lecture XII). The Philippines. Hawaii. Panama Canal.

### j. *Japan*:

Designs of the United States. Designs of Russia. China.

*k. China:*

"The watermelon to be divided." "The Yellow Peril."

Spheres of influence of England, France, Germany, Japan, Russia.

American concessions.

*l. Espionage in time of peace.* Has only recently come to be a noteworthy source of international difference.

Several states have enacted legislation for self-protection.

France—"Loi contre l'espionage, April 18, 1886 (British and Foreign State Papers, 77, 1198-1200).

Great Britain—Notification to French Travellers against Sketching, May 8, 1886 (State Papers, 77, 1201).

Great Britain—Official Secrets Act, Aug. 26, 1889 (British and Foreign State Papers, 81, 644-48).

Germany— [July 3?], 1893.

United States—Act to Prevent the Disclosure of National Secrets, March 3, 1911 (Statutes of U. S. 61st Congress, 3 Sess., 1910, Part I, 1084-5).

*m. Sea power and its purposes.*

1. National defense.

2. Maintenance of peace.

3. Marine insurance.

4. Defense against designing nations.

5. Protection or subjugation of dependencies.

6. Control of the sea.

7. Ceremonial purposes.

The greater the sea power, the weaker the nation that buys it.

The "sinews of war" are not war-ships nor soldiers, but money.

A war-ship is good for an hour's fighting. In real war after an hour every ship is victorious, sunk, captured, or run away.

Every organ demands its functional use. The function of war-ships is war.

*D. Who wants war?*

Not the people anywhere.

Not the rulers anywhere.

Not business anywhere.

Not the Unseen Empire of Finance.

Militarists sometimes (not always).

Journalists sometimes (not honest journalists).

"We (of Germany) are a commercial and agricultural nation and we want peace and are peaceful notwithstanding the utterances of some irresponsible half-pay generals and admirals who want promotion for their relations, and the unpardonable levity of representatives of the press, who write against better knowledge and only for sensation's sake. . . . Truth and fairness in the press would make things much easier and allow nations to understand each other."—(Baron von Roeder, Berlin.)

#### E. The Moral.

"The moral is when next you read a war scare, reassure your native intelligence by making the sound "pooh-pooh." In the current idiom: It is all punk."—(*N. Y. Evening Post*.)

"The only national defense Great Britain needs is defense against her armament syndicates."—(G. H. Perris.)

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## XII. A WAR SCARE.—THE UNITED STATES AND JAPAN.

(*Jordan*)

- A. Early history of Japan.
  - Hideyoshi and Korea (1592-1598).
  - Temples and palaces.
- B. Feudal system.
  - Shogun and the Mikado.
  - Portuguese in Japan.
  - Dutch at Nagasaki.
- C. Modern Japan.
  - Commodore Perry at Kurihama (1854).
  - The Treaty Ports.
  - Shimonoseki affair (1864).
  - General Grant at Nikko.
  - Consular jurisdiction (1899).
  - War with China (1894-5).
  - War with Russia (1904-5).
  - Protectorate over Korea (1904).
  - Absorption of Korea (1910).
- D. The "Japanese Question."
  1. Steamship agents bring rice-field laborers from Okayama, Hiroshima and Yamaguchi to Hawaii. These, the lowest class of Japanese (not criminal nor weak-minded) virtually slaves in Hawaii.
  2. Warning of W. W. Scott, of clash with European laborers due to low standards of living and lack of common traditions (1898). Refusal of Japanese Government to issue passports to this class to come to America. (1899). Annexation of Hawaii to United States (1898) gives freedom to Hawaiian laborers. Influx of laborers to California. Injury to reputation of Japan (being judged by its lowest and least educated class).
  3. Race prejudice, economic prejudice, exploitation.
  4. Efforts at exclusion of Japanese unskilled laborers.
  5. The demand for them in the fruit orchards and as house servants.
  6. Their preference for work in cities.

7. Agreement with Japanese Government that no passports be issued to unskilled laborers to come to Hawaii or to the Pacific Coast, and that all Japanese with passports be received without question.
  8. Efforts to make political capital by exclusion bills after desired results had been fully attained.
  9. Efforts of "Anti-Japanese" to change public opinion.
  10. Objections to "Oriental exclusion" projects.
  11. Economic reasons for exclusion not without cogency.
  12. Racial reasons for exclusion.  
Of doubtful validity.
  13. Social reasons for exclusion.  
Fecundity, disregard for contracts, lack of business honesty.  
Ambition to rise above situation, bad neighbors, non-assimilation, low standards of morality.
  14. Japanese reasons for exclusion.  
Ricefield "coolies" giving wrong impression of character and culture of Japanese people.
- E.* Japanese students in America.
- F.* School question in San Francisco.
- a.* Question at issue. Was an "Oriental School" (no Chinese being present) a violation of "most favored nation" clause in treaty? Probably, but not certainly. Matter originally without significance and without malice. Given importance by Japanese protest, by newspapers of both countries, and by misrepresentation and exaggeration.
  - b.* Proper course of action apparently an injunction suit.
  - c.* Message of President.
- G.* The Manchurian railway question.  
Suggested sale to China, to be directed by outside syndicate, unwelcome and doubtless impracticable.
- H.* The fur seal question.
1. The Pribilof herd reduced (1888 to 1900) from 1,000,000 breeding females to 200,000.
  2. Work of Canadian pelagic sealers.  
Further reduced to about 30,000, largely by Japanese pelagic sealers.
  3. Matter settled wisely and justly by treaty of 1910. Great Britain, Russia, Japan and the United States.
- I.* No question has ever disturbed the friendly relations of the governments of the two nations. Some matters have made local or temporary friction, but these all fully adjusted.

American sympathy with Japan :

In early days, work of Harris, Denison, Chamberlain,  
Mendenhall, Morse, Hearn, Terry, Swift and others.

In war with China.

In war with Russia.

The "Pro-Japanese" and "Anti-Japanese."

Problems of the Japanese Government.

War scares in America and Japan.

Wicked imaginings for wicked purposes.

Japanese love America.

Many of the ablest were educated in America.

America is Japan's best customer.

America is Japan's most constant friend.

The outside ambitions of Japan centre on Korea and  
South Manchuria.

She is nearest the greatest political problem of the world:  
the future of China.

She has no money to waste on war in any quarter.

*J.* Peace Societies in Japan.

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## XIII. MORTALITY AND MORBIDITY IN WAR.

(Krehbiel)

This lecture, which is statistical in character, is based on the references below, especially on the works of Bodart, and Myrdacz. From the indications of these works the following general statements may be drawn.

Average number of men killed outright in battle, 2.2%—  
2.5%

Average number wounded, 8%—10%.

(Ratio of killed to wounded, 1 : 4.)

Average number fatally wounded, 10%.

Average number of whole force dying from wounds,  
ca. 1%.

(Attention to military hygiene has diminished this  
number considerably.)

Deaths from disease depend on conditions. In the Crimean War the rate was as high as 16% in the armies of the allies; four men died of sickness to every one from war.

In the Franco-Prussian War deaths from disease (not counting wounded) was 1.8% of the whole force.

The total loss from battle on land (including killed, wounded, prisoners, deserters, unaccounted for) usually amounts to less than 25% of the whole force engaged. The rate is higher for naval engagements. (For a list of battles with unusually high losses see Bodart, p. 831-847.)



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## XIV. BIOLOGY OF WAR.

(Jordan)

*Heredity*, the law of continuity among organisms. Like the seed is the harvest.

*Law of Variation*, almost alike but never quite.

*Law of Selection*, preservation of the adaptable; survival of the fittest.

*Law of Isolation*, survival of the existing.

All these laws apply to man as to the lower animals.

Selection lays hold of variation. Heredity reproduces what is left. Isolation confirms hereditary traits.

Selection as the magician's wand.

Reversed selection. Dysgenics.

"La guerre a produit à tout temps une sélection à rebours."

Rome. *viri, virilis*.

Effect of domination.

"Vir" gave place to "Homo."

Rise of the Emperor. Emperors as barometers. Emperor exponent of the mob. "The little finger of Constantine was stronger than the loins of Augustus."

Marius destroyed the aristocrats. Sulla the democrats. "Only cowards remained and from their brood came forward the new generations" (Seeck). "The Roman empire perished for want of men" (Seeley). "The human harvest was bad." Militarism knows no country. "The brigands' and barbarians' contempt for honest industry."

"A physical, not a moral decay."

Decline selective, not collective.

Novara, Magenta, Solferino, Sedan, Moscow, Waterloo. Of the 600,000 "who proudly crossed the Niemen for the conquest of Russia, only 20,000 half-naked, famished, frost-bitten, unarmed spectres staggered across the bridge of Korno in the middle of December." (Cambridge Modern History, IX, 505, places the loss of the French army at 500,000; and estimates that 100,000 men was all that was left of the Grand Army.) 3,700,000 of the "elite of Europe" slain by Napoleon.

Disappearance of physical strength, alertness, dash, recklessness, patriotism, qualities chosen in the soldier.

Effect of emigration. Oberammergau, Devon, Winchelsea, Rye.

Germany: The Thirty Years war, 1618-1648.

Population reduced from 16,000,000 to 6,000,000. Only one-third survived, and in some districts as few as one-tenth.—(Cambridge Mod. Hist. IV, 418.)

Effects of the war concealed by industrialism and paternalism.

Spain.

"This is Castile; She makes men and wastes them." "This sublime and terrible phrase sums up the whole of Spanish history."

Switzerland.

The Lion at Lucerne. (Thorwaldsen.) "Biederkeit and Tapferkeit; the valor which is worth and truth."

"Sons of the men who knelt at Sempach, but not to thee, O Burgundy."

Japan. Venezuela. Paraguay. Samarcand. Korea. China.

England.

The "Widow in Sleepy Chester."

Memorial tablets.

"Its only my dead that count."

Disappearance of the English squire and of John Bull.

Country squires exchanged for memorial tablets.

"O Cromwell's England, must thou yield  
For every inch of ground a son?"

"Childless and with thorn-crowned head,  
Up the steep road must England go."

The United States.

The Civil War cost the North 359,528 men. The National cemeteries, about 1600 acres. North Carolina. 152,000 volunteers from Massachusetts. (Heitman, II, 285.) Where are Boston's forty orators? The Harvard Memorial roll.

The War cost the South 315,979 lives (Annual Cyclopaedia, 1865, 81-85).

"The remnant just eleven,  
Once twinkled a thousand bayonets  
And the swords were thirty-seven."

The Law of Quetelet: the same number of each type in each generation. True only when parentage is the same.

"War does not of choice destroy bad men but good men ever."—(Sophocles.)

"Ja der Krieg verschlingt die Besten."—(Schiller.)

"À la guerre, ce sont toujours les mêmes qui se font tuer."—(French Proverb.)

"Where we left the bravest of us,

There's a deeper green of the sod."—(Captain Brownell.)

"O band in the pine wood, cease,  
Cease with your splendid call,  
The living are brave and noble  
But the dead were bravest of all."—(John Esten Cooke.)

"Cut off from the land that bore us  
Betrayed by the land we find  
The brightest are gone before us  
And the dullest are left behind."  
—(Bartholomew Dowling.)

"Proudly they walk but each Cameron knows  
He may tread the heather no more."  
—(May Campbell.)

"Wars are not paid for in war time;  
the bill comes later."—(Franklin.)

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## XV. SOCIAL AND MORAL EFFECTS OF WAR.

*(Jordan)*

"Inter arma leges silent."

"Ein furchtbar heulend Schreckniss ist der Krieg."—(Schiller.)

"Disguise fair nature with hard favored rage."

"You'd never have known him then with the flame of fight in his eyes."

"Fear a forgotten form,  
Death a dream of the eyes,  
We were atoms in God's great storm  
That swept through the angry skies."

"Ended the mighty noise,  
Thunder of forts and ships.  
Down we went to the hold,  
Oh, our dear dying boys!  
How we pressed their poor brave lips,  
Ah, so pallid and cold!  
And held their hands to the last,  
Those that had hands to hold.

"Be still, O woman heart!  
So strong an hour ago;  
If the idle tears must start,  
'Tis not in vain they flow.

Lie thus, for a myriad lives  
And treasure-millions untold,  
Labor of poor men's lives,  
Hunger of weans and wives,  
Such is war-wasted gold."—(Brownell.)

"Grim is the sea and cruel,  
Fierce are the winds and fell;  
But the strife of man is the fuel  
That feeds the fires of Hell!"—(Gray.)

The restraints of manhood unloosed.

Military versus civilian ideals.

a. Robbery, arson, brutality, blasphemy, rape, murder.

b. Courage, magnanimity, heroism, patriotism.

"Chair pour le canon." "A boy will stop a bullet as well as a man." "A soldier like me does not care a tinker's damn for the lives of a million men."—(Napoleon.)

The army as an instrument of plunder.

"We brought back a thousand cattle and the head of him that owned them."

Outrages of the allied armies in China. Plunder of astronomical observatory. Trial of Kunert at Halle.

The army as a political machine.

Militarism. Conscription.

Petty abuses of power; subjection of soldiers; idleness; barrack vulgarity; vice; record of barrack life.

Infectious diseases. "The Queen's Daughters." Efforts of the medical staff for sanitation. 22 instead of 54% in France.

The army as a means of defense.

Police duties of the army.

Alleged degeneracy of peace.

"Without war the world would degenerate and disappear in a morass of materialism."—(Moltke.)

War, "the red rain which fertilizes and purifies humanity."

Alleged unchangeability of human nature and its pugnacity.

Alleged survival of warlike nations.

Alleged constancy of physical force as the dominant factor.

Human nature has changed its manifestations through co-operation, civilization, religion.

Warlike nations never have survived.

Co-operation is the dominant force.

False ideals of patriotism.

Dreyfus case. Boer war. Spanish war. "Remember the Maine."

"Patriotism is killing Spaniards."

"Patriotism the last refuge of a scoundrel."—(Samuel Johnson.)

Patriotism: love of country and willingness to help in any way to her real advantage.

Moral damage of war.—(Walter Walsh.)

To the Nation.

Child.

Soldier—depends on circumstances. (Walsh, p. 156, 160.)

Politician—"Hot fits" or long preparation.

Journalist.

Preacher—"War, God's assizes." Ordeal of nations.

Missionary.

Trader.

Citizen—extension of graft; loose views of life.

Patriot.

Reformer.

"Let your reforms for a moment go.  
 Look to your butts and take good aims.  
 Better a rotten borough or so,  
 Than a rotten fleet and a city in flames."—(Tennyson.)

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## XVI. THE RESTRICTION OF FORCE THROUGH THE DEVELOPMENT OF LAW.

(*Krehbiel*)

### A. Primitive conditions; force universal.

"The state of nature is a state of war."—(Hobbes.)

(Cf. Sumner: War.)

### B. The limitation of force through—

#### 1. The conception of law.

##### a. The law of might. *Faustrecht*. Law of primitive man.

Implies only as much respect for another's rights as he can command. Cannibalism. "An eye for an eye, and a tooth for a tooth."

##### b. Supernatural law: divine law. Law of clans and tribes.

As there were many gods, this law implied a hatred of all other peoples and their laws, and a duty to extirpate them. Israel.

Theory of divine origin of law prevailed chiefly in the tribal and earlier national periods, during which patriarchal and monarchical governments were the rule. Ordeal, trial by battle, blood-feud, vendetta.

The theory developed the conception of the divine right of kings. There was, however, this difference that (at least in the west), all kings were supposed to be ruling by the will of one and the same God, instead of one of several gods as had been the case.

##### c. Natural law: inherent in Nature.

Assumes a common basis for *all true law*, hence tends to lessen antipathies between peoples and to weaken supernatural law and monarchy.

Never generally accepted (*i.e.*, by all classes).

##### d. Positive law: man-made. (Voluntary or customary law.)

Implies just as much respect for the laws and rights of other nations as we respect the men of that nation.

Law made by the ruler: monarchy.

Law made by the people: democracy. (This form has been spreading for a century and a quarter.)

Acquaintance with other peoples tends to increase respect for their laws; in other words, democracy tends to diminish wars and to increase the power of law.

2. The evolution of states.

*a.* Stages. Regions of varying sizes fall under law of some kind and thus become political units. These units have peace within their bounds, but are at war with the neighboring units. Political units join to form larger units (clans, tribes, confederations, nations). Thus a single form of law governs an increasing area, and the old conflicts between the parts of this new unit disappear.

*b.* Result: two kinds of law:

*x.* National law: suppresses force and governs within any particular political unit. Has the sanction of the unit.

Law is constantly being perfected.

Revolt against the law becomes civil war.

*y.* International law: governs the relations of nations.

In times of peace. (Lecture XIX.)

In times of war: force is put under restrictions.

(Mainly since 1850. Lecture XX.)

Lacks an effective sanction.

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## XVII. LAW AND INTERNATIONAL RELATIONS.

(*Krehbiel*)

## A. Ancient times.

1. The co-existence of states was not a recognized principle; each state sought to subject or exterminate all other states. Oriental states and Roman Empire.

Thus there could be no international relations in the present sense.

2. Greeks admitted the principle of co-existing states.

The Greek city states all represented the same general culture and language.

They had relations properly called international.

They gradually fell to quarreling among themselves as did their neighbors and sought to subject each other. The interference of Rome put an end to their struggles before any state had been fully victorious.

## B. Mediaeval times.

1. The Teutonic migrations broke up the Roman Empire and substituted a number of tribal units independent of each other.

2. This new society abandoned the ancient conception that states could not co-exist.

a. The influence of the Christian religion and the church.

b. The Teutonic ideal admitted the existence of clans and tribes side by side.

c. The confusion and darkness of the early medieval period obscured the differences between peoples.

3. Mediaeval states had relatively slight relations.

a. Under the feudal system a state was not a homogeneous organization, but rather a union of feudal entities held together by the personal bond of liege homage. It was these feudal entities, as much as the states themselves, that had relationships in the earlier middle ages.

b. In this period there was no such thing as international law.

## C. The beginnings of international relations and laws.

1. International relations in the modern sense began to appear in the twelfth century.

- a. The crusades developed a sense of nationalism among the various peoples of western Europe.
- b. The feudal system began to yield before monarchical power.
- c. The Reformation and especially the religious wars developed the sense of nationality to a high degree in Europe.
2. In this period states as such steadily increased their dealings with one another, and at the time of the religious wars carried their animosities and national sentiments to exaggeration.
3. Early writers on international relations.
  - a. Legnano. Professor of Law at Bologna.  
"De bello, de represaliis, et de duello," 1360.
  - b. Belli. (Italian.)  
"De re militari et de bello," 1563.
  - c. Bruno. (German.)  
"De legationibus," 1548.
  - d. Victoria. (Spaniard.)  
"Reflectiones theologicæ," 1557.
  - e. Ayala. (Spaniard living in the Netherlands.)  
"De jure et officiis bellicis" . . . 1582.
  - f. Suarez. (Spanish Jesuit at Coimbra, Portugal.)  
"Tractatus de legibus et de legislatore," 1612.
  - g. Gentilis. (Italian.)  
"De legationibus," 1585.  
"Commentationes de jure belli," 1588-9.  
"De jure belli libri tres," 1598.  
"Advocatio Hispanica," 1613.
- D. The modern period.
  1. National consciousness and international antipathies were fully developed by the time of the Thirty Years War, which involved practically all the nations of western Europe.
    - a. The consequence of this bitter period was an over-emphasis on national independence; the absolute independence of a state from every other.
    - b. This condition arose in a monarchical age; and monarchs were in a position to exploit national antipathies to their own advantage.  
Government by the people has replaced monarchy; and with the advent of the doctrines of equality among men, the bitterness is passing out of national hatreds, which are coming more and more to be commercial rivalries. The growth of democratic principles should operate to bring nations closer together.

2. International law developed in this age. Schools of international law and their representatives.
  - a. Hugo Grotius, (1583-1635). "Father of the Law of Nations."  
 His youth: a precocious child.  
 Political career, arrest, imprisonment, residence abroad.  
 "De jure belli ac pacis libri tres." 1625. (Engl. transl. Old South Leaflets, Vol. 5, No. 101, pp. 1-24.)  
 This work recognizes both—  
     Customary or voluntary law. (Positive law.)  
     Natural law: This is held to be most important, hence: *Jus gentium*, i. e., law of nations.
  - b. After Grotius.  
 Zouche, 1590-1660. (Englishman.)  
 "Iuris et iudicii feccialis, sive iuris inter gentes, et qaestionum de eodem explicatio" (Edited by Holland; transl. by Brierly).  
 Emphasizes voluntary international law at the expense of the natural law of Grotius. Hence: *Jus inter gentes*, i. e., international law.
3. Three schools of the law of nations.
  - a. Naturalists: accept natural law.  
 Pufendorf (at Heidelberg), 1632-1694.  
 Christian Thomasius, 1655-1728. (German.)  
 Francis Hutcheson. (English.)  
 Thomas Rutherford. (English.)  
 Jean Barbeyrac, 1674-1744.  
 Jean Jacques Burlamaqui, 1694-1748.
  - b. Positivists: deny natural law.  
 Rachel. (German.)  
 Textor. (German.)  
 Bynkershoek, 1673-1743. (Dutchman.)  
 J. J. Moser, 1701-1785. (German.)  
 G. F. von Martens, 1756-1801. (German.)
  - c. Grotians: Recognize natural and voluntary law.  
 Christian Wolff, 1679-1754. (German.)  
 Emerich de Vattel. 1714-1767. (Swiss.)
4. Historical development..
  - a. Naturalists and Grotians predominate to and through French Revolution.
  - b. Nineteenth century sees triumph of positivists.
    - Klüber, 1836. Positivist of the older type.
    - Wheaton, 1836. Grotian.
    - Manning, 1839. Grotian.

Heffter, 1844. Positivist of the older type.  
 Phillimore, 1854. Positivist of the older type.  
 Twiss, 1861. Positivist of the older type.  
 Halleck, 1861 (American). Positivist of old type.  
 Fiore, 1865. Grotian.  
 Bluntschli, 1867.

True positivists:

Hartmann, 1874.  
 Hall, 1880.  
 Martens, 1885 (Russian).  
 Holtzendorff, 1885.  
 Oppenheim, 1905.

5. The laws to which nations have assented will be considered in Lectures XIX and XX.

These laws have tended to improve the relations of nations to each other, and to remove causes of disputes.

E. Five morals that can be deduced from the development of the Law of Nations to date. (Oppenheim, I, 73-76.)

1. A law of nations can exist only if there is an equilibrium, a balance of power, between the members of the family of nations.
2. International law can develop progressively only when international politics, especially intervention, are made on the basis of real state interests.
3. The principle of nationality is of such force that it is fruitless to try to stop its victory.
4. Every progress in the development of international law wants due time to ripen.
5. The progressive development of international law depends chiefly upon the standard of public morality on the one hand, and, on the other, upon economic interests.

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 Oppenheim: *International Law*, I, p. 44; 58.  
 Scott: *Cases on International Law*, xxiv, Sec. 5.

## XVIII. PEACE ADVOCATES AND PROJECTS OF THE PAST.

(Krehbiel)

## A. Christ: The Prince of Peace.

"Peace on earth, good will toward men."

The Christian ideal of peace and of the brotherhood of man, lacks much of realization.

## B. Peace of God and Truce of God in the Middle Ages an attempt to put some limit upon perennial war.

## C. Religious denominations.

1. The Mennonites, beginning about 1534.

2. The Quakers or Friends.

George Fox (1624-1691).

Ann Austin and Mary Fisher in Massachusetts, 1656.

Penn in Pennsylvania, 1682.

3. Exempted from military service in the colonies.

Non-resistance only one of their tenets.

## D. Individual peace advocates and their projects.

1. Henry IV of France (1589-1610). Sully.

"The Great Design." (Engl. ed. by Mead, 1909.)

Proposed a hegemony subject to France against the Hapsburg power; therefore not a disinterested peace project.

(Cf. Imperial and papal schemes of hegemony.)

2. Emeric Crucé (about 1590-1648).

"Le Nouveau Cynée," 1623.

"The New Cyneas," (Balch, 1909).

Proposes an international council of all nations with headquarters at Venice to settle all differences and preserve the peace.

3. William Penn (1644-1718).

"Essay towards the Present and Future Peace of Europe by the Establishment of an European Dyet, Parliament, or Estates." 1693-4. (Old South Leaflets, IV, No. 75.)

Justice rather than war.

Justice is the fruit of a proper government; hence a central body is desirable—

to decide all cases not otherwise disposed of.

to compel submittance of such cases.

to enforce compliance with decisions.

Language: Latin or French.

Penn's pacific dealings with the Indians of Pennsylvania was an object lesson that was more effective than his publications.

4. Abbé de Saint-Pierre (1658-1743).

"Abrégé du projet de paix perpétuelle inventé par le roi Henri le Grand . . ." 1713.

(Extract in Darby, *International Tribunals*, 71f).

The first "coherent" proposal for an international tribunal (Richet, 247).

Exercised an influence toward the creation of Holy Alliance.

[Pufendorf (1632-1694).

"De statu imperii Germanici" contains a scheme of federation.]

5. Rousseau, J. J. (1712-1778.)

"Extrait du projet de paix perpétuelle de M. L'Abbé de Saint-Pierre." (Darby, 105.)

"Jugement sur la Paix Perpétuelle." (Darby, 117.)

6. Benjamin Franklin (1706-1790).

"On War and Peace." 1788. (Old South Leaflets, VI, 162.)

7. Immanuel Kant (1724-1804).

"Der Ewige Friede." 1798.

"On Perpetual Peace." (Engl. transl. Hastie: *Kant's Philosophy of Law*, 224-6.)

8. Comte de Saint-Simon.

"Réorganisation de la société européenne . . ." 1814.

9. Other peace advocates: Landgrave of Hesse-Rheinfels, Duke Charles of Lorraine, John Bellers, Leibnitz, Fénelon, Bentham, Chateaubriand, Abbé Gregoire, James Mill, John Stuart Mill, etc.

#### E. Peace societies.

1. New York Peace Society, 1815. About 30 members.

David Low Dodge (1774-1852) first president.

How Dodge came to be a peace advocate.

"The Mediator's Kingdom not of this World." 1809.

Opposed by Noah Worcester.

2. Massachusetts Peace Society, 1816.

Noah Worcester and William Ellery Channing.

Worcester: "Solemn Review of the Custom of War." 1814.

Edited: "The Friend of Peace."

3. The Peace Society (English), 1816.

4. The American Peace Society, 1828. William Ladd.

A union of state and local societies.



5. European continental peace societies.  
The first was founded at Geneva, 1828.  
The second at Paris, 1841.
6. Peace societies today (1910). About 160 societies with many branches.  
England, 22 societies with about 45 branches.  
France, 36 societies, some of which have as many as 40 branches.  
Germany, 3 societies with 95 branches.  
Austria, 8; Belgium, 3; Hungary, 2; Italy, 55; Norway, 2; Portugal, 3; Russia, 2; Spain, 2; Sweden, 8; United States, 17; Canada, 1; South American States, 7; Australia, 4; Japan, 2; Denmark, 2, with 37 branches; Persia, a society is projected.

(For a list of peace societies see *Annuaire du mouvement pacifiste*, 1910, and *The Peace Year-Book*, 1911.)

**F. International peace congresses.** Organizers: Count de Sella and Auguste Couvreur. Bastiat. (List of congresses: "*Annuaire de la Vie Internationale*," 1908, 647.)

1. London, 1843.
  2. Brussels, 1848. (Elihu Burritt's part.)
  3. Paris, 1849: Victor Hugo, President; Richard Cobden, Vice-President.
  4. Frankfurt, 1850.
  5. London, 1851.
  6. Edinburgh, 1853.
- Interrupted by wars.  
Geneva, 1867; Paris, 1878; Brussels, 1882; Paris, 1889.  
Since 1889 they have practically met annually. Permanent headquarters established at Berné in 1891: "Permanent International Bureau of Peace."

**List of congresses since 1889.**

- 1st Congress, Paris, 1889.
- 2nd Congress, London, 1890.
- 3rd Congress, Rome, 1891.
- 4th Congress, Berne, 1892.
- 5th Congress, Chicago, 1893.
- 6th Congress, Antwerp, 1894.
- 7th Congress, Budapest, 1896.
- 8th Congress, Hamburg, 1897.
- General Congress, Turin, 1898.
- General Congress, Berne, 1899.
- 9th Congress, Paris, 1900.
- 10th Congress, Glasgow, 1901.
- 11th Congress, Monaco, 1902.

12th Congress, Rouen and Havre, September 22-27, 1903.

13th Congress, Boston, October 3-8, 1904.

14th Congress, Lucerne, September 19-23, 1905.

15th Congress, Milan, September 15-23, 1906.

16th Congress, Munich, September 9-14, 1907.

17th Congress, London, July 27-August 1, 1908.

General Assembly, Berne, October 8-9, 1909.

18th Congress, Stockholm, August 1-5, 1910.

General Assembly, September 26, 1911.

G. Further development of the principles of peace treated in Lecture XXI.

H. Other agencies working for peace, though indirectly. (Lectures XXXII-XXXIV.)

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Darby: International Tribunals (1904).

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Annuaire de la Vie Internationale (1908-9), *passim*.

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Evans: Sir Randall Cremer (1910).

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Rousseau: Oeuvres complètes (Musset-Pathay), V, 405-459 (Extrait du projet . . . de l'abbé de Saint-Pierre).

Hastie: Kant's Philosophy of Law, 224-226 (Perpetual Peace and a Permanent Congress of Nations).

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## XIX. LAWS GOVERNING INTERNATIONAL RELATIONS IN TIME OF PEACE.

(*Krehbiel*)

A. Since the end of the Middle Age the dealings of nations with each other have steadily been increasing.

To begin with there were no rules or methods governing international relations. Expediency, however, dictated a large number of rules, or customs, the general acceptance of which has contributed much to the ease and smoothness with which international affairs are dispatched. These rules, or agreements, form the substance of international law; they are usually made by treaty.

B. International law has made provisions relating to—

1. Types of states:

Sovereign states, federation of states, vassal states, protected states, neutral states (Switzerland, Belgium, Luxemburg, and formerly Congo Free State). The Papacy.

2. Change in status of states, in territory or government.

3. Rank and precedence of states.

States with royal honors, and states without.

States rank alphabetically according to their French names within each group.

Ceremonies recognizing the dignity of states.

4. Intervention in another state.

By right, in default of right, in the interests of humanity.

The Monroe Doctrine not within the scope of international law.

5. Responsibility of states for acts of officials or citizens.

6. Territory of a state.

Boundaries, riparian rights, navigation of international rivers, land-locked seas, canals, maritime belt, territoriality of gulfs, bays and straits, modes of acquiring territory, modes of losing territory.

7. The open sea.

Maritime sovereignty was formerly the rule.

Portuguese and Spanish main; England's claims to sovereignty in the Channel.

Open sea became the rule by nineteenth century.

The marine league.

- Jurisdiction on the high seas: rules of traffic, ship's papers, right of visit, search, and arrest, collision, assistance, salvage.
- Piracy, fishing, cables.
- 8. Individuals.
  - Nationality, naturalization, expatriation, right of asylum, exclusion of foreigners, expulsion of foreigners, extradition (not, however, of political criminals).
  - Individual claims against other states or their citizens.
  - Contract debts.
- 9. Diplomatic agents.
  - Classes of agents, functions and entering upon them, position, inviolability, extraterritoriality, servants, termination of mission.
- 10. Consular agents.
  - Appointment, functions, position and privileges (in non-Christian states), termination of functions.
- 11. Special agents abroad.
  - Armed forces abroad in time of peace.
  - Men-of-war in foreign waters.
  - Non-diplomatic or non-consular agents, commissions.
  - Officials: postal, telegraph, commercial, etc.
- 12. International transactions.
  - Negotiations, declarations, congresses, conferences.
  - Courts of arbitration.
  - Treaties: framing, ratification, dissolution, voidance, cancellation, renewal, interpretation.
  - Alliances. Unions (for administrative purposes: postal).

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## XX. INTERNATIONAL RULES FOR WAR.

*(Krehbiel)*

## A. Principal treaties and international agreements which have placed restrictions upon warfare.

1. Declaration of Paris, 1856.  
(Martens: *Recueil de Traités*, XV, 767.)  
Scott: *Texts of the Peace Conferences*, 349.
2. Francis Lieber Code, 1863.  
(Cong. Doc. 1607, No. 100.)  
Scott: *Texts*, 350-376.
3. Geneva Convention, 1864. (1866.)  
(Martens: *Recueil de Traités*, XVIII, 607.)  
Scott: *Texts*, 376-381.
4. Declaration of St. Petersburg, 1868.  
(Martens: *Recueil de Traités*, XVIII, 445.)  
Scott: *Texts*, 381-382.  
[Project of an international declaration concerning the laws and customs of war, adopted by the Conference of Brussels, August 27, 1874. Scott: *Texts*, 382-389.]  
[Laws of war on land. Recommended for adoption by the Institute of International Law at its session in Oxford, September 9, 1880. Scott: *Texts*, 389-400.]
5. Hague Peace Conference, 1899.  
(Martens, 2d ser. XXVI, 920.)  
Scott: *Texts*, 1-92.
6. Convention regarding hospital ships (The Hague), 1904.  
Scott: *Texts*, 400-402.
7. Geneva convention for the amelioration of the condition of the sick and wounded of armies in the field, 1906.  
Scott: *Texts*, 402-410.
8. The Second Hague Conference, 1907.  
Scott: *Texts*, 93-334.
9. Declaration of London, 1909.  
U. S. Naval War College: *Intern. Law Topics*, 1909.  
This declaration will presumably be the basis for decisions of the Prize Court established at the Second Hague Conference, 1907. Up to the present this declaration has not been generally ratified and is, therefore, not law in the same sense as the other agreements here listed.

## B. Warfare on Land.

These agreements concern only the powers which have accepted them. The dates in parentheses indicate the document in the list above containing the provision.

### I. Rules relating to arms and armor.

1. Projectiles of weight below 400 grams which are explosive or inflammable are prohibited (1868).

2. Prohibitions of 1899 and 1907.

a. Using implements which render death inevitable or needlessly aggravate suffering.

b. Poison on projectiles, in water or food.

c. Glass, irregularly shaped iron, nails, chain-shot, cross-bar-shot, red-hot balls and the like.

d. Expanding bullets, or those which flatten easily in the body. (Mushroom bullets.)

e. Launching projectiles or explosives from balloons.

The powers were more cautious in signing this agreement in 1907 than in 1899 Italy and Turkey did not sign in 1907.

f. Using projectiles diffusing deleterious or asphyxiating gas.

### II. Rules regulating methods of fighting.

1. Desertion (1863).

a. Deserters of the army punished by death.

b. Deserters of one army registered in the enemy's army may be put to death for desertion of their own army, by officials of the deserted force.

2. Espionage.

a. Spies may be hung whether they succeed in getting information or not (1863).

b. Spy taken in act, can not be punished without previous trial (1899, 1907).

c. A spy after joining army to which he belongs and subsequently captured by the enemy is treated as a prisoner of war, and incurs no responsibility for his previous acts of espionage (1899, 1907).

d. Following are not considered spies:

Soldiers and civilians carrying out their mission openly and delivering despatches to their own army or to enemy's army (1899-1907).

3. Armistice (1863).

a. Must be agreed upon in writing by both parties.

b. If conditions, they must be clearly expressed.

c. May be general, for the whole army; or special, for certain troops, etc.

d. Does not mean peace but suspension of operations.

- e.* When broken by one party, the other party under no obligation to observe it.
  - f.* If armistice is ended the other side must be warned. (1899.)
  - g.* An armistice must be officially announced (1899).
  - h.* Hostilities must be suspended immediately or at a fixed date (1899, 1907).
4. Treachery.
- a.* Traitors are put to death (1863).
  - b.* A citizen serving as a guide against his own country is a traitor and may be treated as such (1863).
  - c.* All unauthorized and secret communications with the enemy are considered treasonable.
  - d.* An envoy taking advantage of his position under a flag of truce is considered to have committed an act of treachery (1899, 1907).
  - e.* Feigned surrender is treachery (Oppenheim, p. 166).
  - f.* Assassination is treachery (Oppenheim, p. 117).
  - g.* Treacherous requests for quarter or feigning sickness and wounds are treated as treachery.
5. Ruses.
- a.* The use of the enemy's national flag for the purpose of deceiving the enemy in battle is an act of perfidy which forfeits all claim to protection of the laws of war (1863).
  - b.* Ruses of war and employment of methods necessary to obtain information about the enemy and the country are considered allowable (1899).
  - c.* Feigned signals and bugle calls can be ordered, watch words of the enemy may be used (Oppenheim, p. 165).
6. Cartels.
- a.* An exchange of prisoners of war is an act of convenience to both belligerents. If no general cartel has been concluded, it cannot be demanded by either of them. (1863). A cartel is voidable as soon as either party has violated it (1863).
7. Outlawry.
- a.* Religion and morality to be respected and protected against outlawry (1863).
  - b.* Armed prowlers who rob, destroy bridges, roads, canals, telegraphs, and commit outlawry in general, are not allowed the privileges of prisoners of war (1863).
  - c.* All wanton violence committed against persons and property shall be punished by death (1863).

## 8. Flags of truce.

- a. Firing is not required to cease on appearance of a flag of truce in battle (1863).
- b. Bearer of a flag of truce cannot insist upon being admitted (1863, 1899, 1907).
- c. If bearer of flag of truce abuse the trust he may be considered a spy (1863, 1899, 1907).
- d. Bearer of flag of truce has right to inviolability (1899, 1907).

## 9. Limitations on cruelty.

- a. Sick or disabled combatants must not be killed (1899).
- b. No inhuman treatment of prisoners of war (1899, 1907).
- c. Combatants who surrender shall not be killed (1899, 1907).
- d. To declare that no quarter will be given is prohibited (1899, 1907).
- e. Prisoners of war shall not be tortured for information (1863).
- f. No arms or means to be used which render death inevitable or cause needless suffering (1899, 1907)  
(See Section I above).

## III. Rules governing conduct towards combatants.

1. Military necessity admits of all direct destruction of life or limb of armed enemies and of other persons whose destruction is incidentally unavoidable in the armed contests of war (1863).
2. Retaliation, never as revenge, but only as means of protective retribution (1863).
3. Soldiers not in disguise who are in the zone of hostile operations of the army are not considered spies (1899, 1907).

## IV. Rules governing conduct towards non-combatants.

1. The persons of the inhabitants, especially those of women, shall be protected (1863).
2. Subjects of the enemy cannot be forced into the service of the victorious government, until after a complete conquest of the country (1863).
3. Non-combatants in case of capture by the enemy can be treated as prisoners of war (1899, 1907).
4. Inhabitants cannot be forced to render services except for needs of army of occupation, against their own country. Services shall be in proportion to the resources of the country (1899, 1907).



## V. Rules for prisoners of war.

1. A prisoner of war is a public enemy, attached to the hostile army for active aid, who has fallen into hands of the captor, by individual surrender or by capitulation. All enemies who have thrown away their arms and ask for quarter, are prisoners of war (1863).
  2. A prisoner of war is subject to no punishment.
  3. A prisoner of war is answerable for his crimes committed against the captor's army or people. All prisoners are liable to infliction of any retaliatory measures (1863).
  4. Prisoners of war are prisoners of the government, and not the captor, and are released by the government itself (1863, 1899, 1907).
  5. A prisoner of war who escapes may be shot (1863).
  6. Personal belongings of prisoners of war remain their property (1899).
  7. Prisoners can only be confined as an indispensable measure of safety (1899, 1907).
  8. Tasks assigned prisoners shall not be excessive and shall have nothing to do with military operations (1899, 1907).
  9. Prisoners of war shall be treated on same footing in regard to food, quarters, clothing, as the troops of the government capturing them (1899, 1907).
  10. Every prisoner is required to give his true name and rank.
- VI. Rules governing enemy's property.

1. Public property.
  - a. A victorious army appropriates all public money and public property until further directed by the government (1863).
  - b. Churches, school houses, hospitals, are not considered public property, but may be taxed or used when public service may require it (1863, 1899).
  - c. Classical works of art, libraries, precious instruments, scientific collections, etc., must be saved without injury and must be kept in fortified places (1863, 1899, 1907).
  - d. All appliances for the transmission of news may be seized but must be restored or compensation made for them when peace is made (1899, 1907).
2. Private property.
  - a. Private property can be seized only through military necessity.
  - b. Money and other valuables on person of a prisoner are regarded as private property (1863).
  - c. Private property cannot be confiscated (1899, 1907).
  - d. Pillage prohibited (1899, 1907).

## VII. Treatment of dead and wounded.

1. Every captured wounded enemy shall be medically treated according to the medical ability of the staff (1863).
2. Hospitals are designated by yellow flags so enemy may avoid firing on them (1863). Red Cross adopted as designation in 1864.
3. Collection of sick and wounded after the battle without distinction of parties (1864).
4. Hospital corps and medical staff are neutral (1864).
5. Hospitals are neutral unless held by military force (1864).
6. Dead bodies shall, if possible, be buried.
7. Dead bodies shall not be disgracefully treated.  
(Hague Conference, 1907, resolved to approve the above rules as adopted by the Geneva Convention, 1864).

## C. Warfare at sea.

## 1. Status of vessels.

Privateering abolished (1856).

Merchant ships on high seas, ignorant of hostilities, cannot be confiscated (1907).

A vessel may not fly any flag other than her own to avoid attack.

It is prohibited to attack or sink enemy's vessels which have hauled down their flags as a sign of surrender.

It is forbidden to capture vessels used exclusively for fishing.

## 2. Cargo.

Neutral flag covers enemy's goods except contraband of war (1856).

Neutral goods (contraband excepted) cannot be confiscated even when sailing under enemy's flag (1856).

## 3. Blockades.

A blockade must be *effective* to be binding (1856).

Any vessel breaking through the blockade cannot be touched.

## 4. Hospital ships and the wounded (1907).

Attack or seizure of hospital ships is forbidden.

It is forbidden to use hospital ships for any other purpose.

It is forbidden to capture neutral merchantmen, yachts or vessels as a penalty for having, or taking on board sick, wounded, or shipwrecked combatants.

Sick-wards must be spared as far as possible in case of a fight on board a warship.

The religious, medical and hospital staff of any captured ship is inviolable.

It is forbidden to bury or cremate the dead without careful examination of the corpse.

Soldiers or sailors taken on board when sick or wounded, shall be respected and looked after by the captors, to whatever force they belong.

5. Submarine explosives.

To lay unanchored, automatic contact mines, except where they are so constructed as to become harmless one hour after the person who laid them ceases to control them, is forbidden; likewise is it forbidden to lay those which do not become harmless as soon as they break from their moorings.

It is forbidden to use torpedoes which do not become harmless when they have missed their mark.

6. Bombardments.

It is forbidden to bombard undefended towns, ports, etc., except after due notice.

7. Contraband. (Declaration of London, 1909.)

Up to the present time commerce has suffered in war from uncertainty as to what constituted contraband. The Declaration of London aims to remedy this in some measure.

a. Articles which are absolute contraband. (Article 22.)

- (1) Arms of all kinds.
- (2) Projectiles, charges and cartridges of all kinds and their unassembled, distinctive parts.
- (3) Powder and explosives especially adapted for use in war.
- (4) Gun carriages, caissons, limbers, military wagons, field forges, and their unassembled, distinctive parts.
- (5) Clothing and equipment of a distinctively military character.
- (6) All kinds of harness of a distinctively military character.
- (7) Saddle, draught and pack animals suitable for use in war.
- (8) Articles of camp equipment.
- (9) Armor plate.
- (10) Warships and boats and their unassembled parts suitable for use only in a vessel of war.

- (11) Implements and apparatus made exclusively for the manufacture of munitions of war, for the manufacture or repair of arms, or of military material for use on land or sea.
- b. Conditional contraband articles. (Article 24.)
  - (1) Food.
  - (2) Forage and grain suitable for feeding animals.
  - (3) Clothing and fabrics for clothing, boots and shoes suitable for military use.
  - (4) Gold and silver in coin or bullion; paper money.
  - (5) Vehicles of all kinds available for use in war, and their unassembled parts.
  - (6) Vessels, craft, and boats of all kinds, floating docks, parts of docks, as also their unassembled parts.
  - (7) Fixed railway material and rolling-stock, and material for telegraphs, radio telegraphs, and telephones.
  - (8) Balloons and flying machines.
  - (9) Fuel; lubricants.
  - (10) Powder and explosives which are not specially adapted for use in war.
  - (11) Barbed wire, as also implements for placing and cutting the same.
  - (12) Horseshoes and horseshoeing materials.
  - (13) Harness and saddlery material.
  - (14) Binocular glasses, telescopes, etc.
- c. Following articles are not to be regarded as contraband of war. (Articles 29, 28.)
  - (1) Articles and materials serving exclusively for the care of sick and wounded. Articles and materials intended for the use of the vessel in which they are found, as well as those for the use of her crew and passengers during the voyage.
  - (2) Raw cotton, wool, silk, jute, flax, hemp, and other raw materials of the textile industries, and also yarns of the same.
  - (3) Nuts and oil seeds; copra.
  - (4) Rubber, resins, gums, and lacs; hops.
  - (5) Raw hides, horns, bones, and ivory.
  - (6) Natural and artificial fertilizers, including nitrates and phosphates for agricultural purposes.

- (7) Metallic ores.
- (8) Earths, clays, lime, chalk, stone, including marble, bricks, slates, and tiles.
- (9) Chinaware and glass.
- (10) Paper and materials prepared for its manufacture.
- (11) Soap, paint and colors, including articles exclusively used in their manufacture; and varnishes.
- (12) Bleaching powder, soda ash, caustic soda, salt cake, ammonia, sulphate of ammonia and sulphate of copper.
- (13) Agricultural, mining, textile and printing machinery.
- (14) Precious stones, semi-precious stones, pearls, mother-of-pearl, and coral.
- (15) Clocks and watches, other than chronometers.
- (16) Fashion and fancy goods.
- (17) Feathers of all kinds, hairs, bristles.
- (18) Articles of household furniture and decoration; office furniture and accessories.

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## XXI. THE DEVELOPMENT OF INTERNATIONAL ARBITRATION.

(*Krehbiel*)

### A. Ancient period.

1. Oriental states: arbitration had no place in an age when some one state must be supreme and all others subject.
2. Greece: Arbitration well known. About 75 cases recorded.

Arbiters: Amphictyonic Council, oracles, friendly cities.  
Awards executed in a ratio of 17 : 3.

3. Rome: Arbitration known, but the extension of the Empire tended to bring it into disuse.

Three classes of arbitration (Phillipson, 154).

International, federal, administrative.

### B. Mediaeval period. Not a feature of the middle ages though many differences were settled by means of arbitration.

1. Arbiters: pope, emperor, various potentates, cities.
2. Cases of arbitral settlement in the middle ages are numerous, but relatively unimportant. The most famous is the fixing of the Line of Demarcation by Alexander VI, 1493, determining the Spanish and Portuguese claims to the newly discovered lands and seas.

3. Special agreements to arbitrate (Moch, 36-38).

1238. Treaty of alliance between Genoa and Venice contained a general arbitral clause.

1291. Three Swiss cantons accept arbitration.

1389. Denmark and Norway obliged by treaty to submit their differences to the Hanse for settlement.

1418. Hanseatic cities adopt principle of arbitration.

1516. "Perpetual peace" between France and Switzerland recognizes the principle.

### C. Modern period.

1. Early advocates of arbitration (See Lecture XVIII).
2. Arbitration and mediation in the early modern period.  
Monaco versus Savoy, 1713. (See Bridgman: First Book of World Law, 72.)

3. Early treaties involving the principle of arbitration (Darby, 24of.).

"Conservators of Commerce," 1606.

Treaties of Westminster, 1654-1674.

Treaty of Florence: England and Savoy, 1669.

Judges Conservators, 1712. (Assiento.)

Treaty of Ryswick, 1697.

Jay Treaty: United States and England, 1794. Usually regarded as the first modern treaty of arbitration.

4. The acceptance of arbitration by legislative bodies.  
 (It will be noticed that the work of the peace advocates mentioned in Lecture XVII was in the main of a private, unofficial character; it prepared the way for legislative or official consideration of arbitration which is here treated.)

The United States played a leading rôle.

- 1835. Resolution favoring the erection of an international tribunal of arbitration adopted by the Senate of Massachusetts (Ladd and Thomson).
- 1837. Similar resolution adopted by both House and Senate of Massachusetts.
- 1842. William Jay proposed a treaty of arbitration with England.
- 1851. Committee on foreign affairs (Senate?) approved of arbitration.
- 1853. Senate of U. S. unanimously adopted Underwood resolution favoring arbitration.
- 1873. Congress adopted a resolution favoring an arbitral tribunal and the insertion of arbitral clauses in treaties (Sumner, Borden Smith).
- 1882. President Arthur's message favors arbitration.
- 1888. Congress approves a bill favoring treaties of arbitration with all powers (Sherman, Hitt).  
 (1889: Pan-American Movement; First Pan-American Conference.)

France, first in Europe.

- 1849. Bouvert introduced a resolution in favor of arbitration into National Assembly. Defeated.

England.

- 1849. Bill favoring arbitration defeated by Commons after violent debate (Cobden, Hobhouse, Milner-Gibson, Elihu Burritt).
- 1873. Commons approved arbitration, though opposed by Gladstone (Richard, Lawson).
- 1887. Bill introduced into the House of Lords but withdrawn because of the opposition of Lord Salisbury (Marquis of Bristol).
- 1887. Treaty of arbitration with United States attempted by England at the instance of John Bright.



The Netherlands.

1873-4. Question of arbitration raised in the States-General by Van Eck and Bredius. No action. Carried further in 1878, and 1904.

Italy.

1873. Mancini introduced a bill into Chambers favoring the insertion of arbitral clauses in treaties. Adopted. Has been put into practice.

Sweden.

1874. Lower House adopted resolution favoring a permanent arbitral tribunal (Jonassen).

Denmark.

1875. Measure similar to the last above defeated in the Folketing (Lower House).

1878. Folketing adopted a petition favoring the arbitration of differences between Scandinavian states.

Belgium.

1875. Senate and Chamber of Representatives adopted a measure favoring arbitration (Couvreur, Thonissen, Kint de Roodenbeke).

The establishment of the Interparliamentary Union, 1889, and the initial success of the Pan-American movement, 1889, practically saw the triumph of the principle of arbitration of international differences. Since that time the question has been what the scope of arbitration shall be, as will appear from the following.

#### D. Classification of treaties of arbitration.

(Writers differ in their classification, and the following grouping is a combination of several schemes.)

In all treaties of arbitration the clause of reference is particularly important, as it determines the character of the treaty as well as the class of matters to be submitted to arbitration. (*Am. J. of Intern. Law*, 2, 823f.)

1. Treaties submitting a specific difference to arbitration, drafted *after* the dispute began ("occasional" arbitration).
2. Treaties agreeing to submit to arbitration *future* differences ("permanent") :—
  - a. Over the interpretation of the treaty (containing the clause of arbitration) or rising out of it ("à clause spéciale").

First of this kind: Chile-Peru, 1823 (Moch, 9).

For a list (incomplete) of treaties of this kind see La Fontaine: *Pasicrisie*, xii.

- b. Over any matter, whether rising out of treaties or otherwise, excepting certain categories of disputes (general treaties).

[This has been accomplished (1) by inserting a clause to that effect in a treaty relating to another matter, "à clause générale." (The first treaty of this kind according to La Fontaine, x, is Colombia-Central Republic, 1825. La Fontaine gives an incomplete list of these treaties); or (2), by a treaty made especially for the purpose (a treaty of arbitration proper). Moch, p. 41, seems to hold that the first treaty of this character was one between Colombia and Peru, 1822.]

Disputes which are excepted from arbitration by treaties:

Questions which can be decided by the national courts.

Questions concerning the constitution of a state.

Questions of vital interest, independence, national honor, and those which concern the interests of third parties (France-England, 1903; U. S.-England, 1908; and many others).

Questions not "justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity." (So-called Taft treaties with England and France, pending 1912.)

3. Compulsory or "obligatory" treaties.

Treaties have been drawn which aim to define what disputes between nations cannot be said to compromise vital interest, independence, national honor, or the interests of third parties, or any of the subjects included under exceptions from arbitration, and which guarantee to submit to arbitration all disputes of this class. These are treaties of compulsory arbitration. Though these treaties differ somewhat in detail they roughly agree that if diplomacy fails, arbitration shall be regarded as compulsory for the following classes of differences:

- a. Disputes concerning the application or interpretation of any treaty, relating to:
  - (1) Matters of international private law.
  - (2) The management of companies.
  - (3) Matters of civil and criminal procedure, and of extradition.
- b. Disputes concerning pecuniary claims based on damages (with certain limitations).
- c. Differences of a judicial order. (*Am. J. of Int. Law*, 2, 823-30.)
- 4. Unlimited treaties, which make no reservations at all. (These are considered in Lecture XXII.)
- 5. A general treaty of arbitration which all nations shall sign has been advocated.
- 6. Life of treaties of arbitration.
  - For five or ten years: renewable; lapse if not renewed.
  - Indeterminate: run until abrogated.
- E. Number of treaties of arbitration is hard to establish because of the differences in classification, and incompleteness of researches.
  - 1. Treaties of occasional arbitration; number not ascertained.
  - 2. Treaties agreeing to submit future differences ("à clause spéciale" and "à clause générale").

La Fontaine, xiv-xv. 1821-1900.

North America .....	172
Europe .....	87
Africa .....	12
Asia .....	6
South America .....	4
Total .....	281

Moch, 127-130. 1822-1909.

314 treaties of all classes.

120 eliminated because counted twice or expired.

194 in force in 1909.

Of these 163 are treaties of arbitration proper according to Moch's classification.

- 3. Treaties of compulsory or "obligatory" arbitration. These were made in pursuance of Article 19, of the Convention for Pacific Settlement, Hague Conference, 1899. (*Am. J. of Int. Law*, 2, 823-30.)

1903..... 2 treaties of this kind.

1904.....27

1905.....48

1906.....49

1907.....53

1908.....80

(Bulletin de la Conciliation Intern. No. 3, 1908.)

Number of treaties according to plate taken from  
 "Annuaire de Vie Internationale," 1908, p. 516.  
 (See p. 103.)

F. Arbitral Procedure (Ralston: International Arbitral Law and Procedure, especially pp. 17-85; 129-140).

1. Special agreement ("compromis," protocol). Every case is submitted to arbitration by means of a special agreement.

a. Names the arbiters. (A list of persons who have been arbiters in Richet, 300-301.)

Single arbiter.

Tribunal: each disputant selects arbiters and these selected representatives name an umpire.

b. Defines the powers of the arbiters.

c. Fixes the rules of procedure.

d. Defines the question at issue.

e. Promises to accept the award (sometimes).

f. Special agreement as provided by the Hague Conferences.

1899, I, Art. 31 (Scott: texts, 36).

1907, I, Art. 52 (Scott: texts, 177).

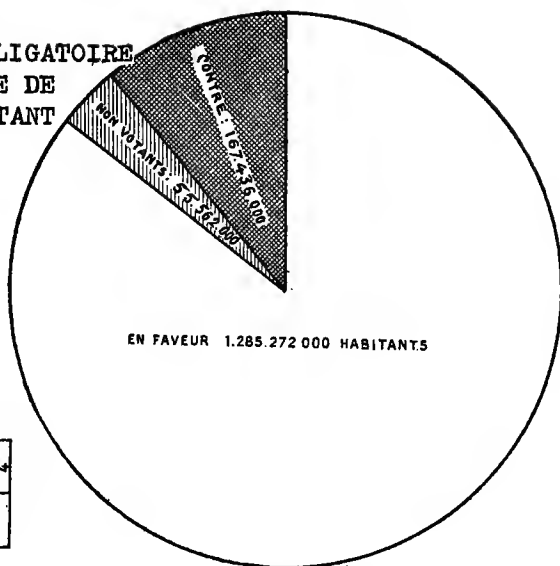
Differences about the special agreement may be arbitrated.

g. Each power ratifies the special agreement according to the provisions of its constitution.

2. Procedure.

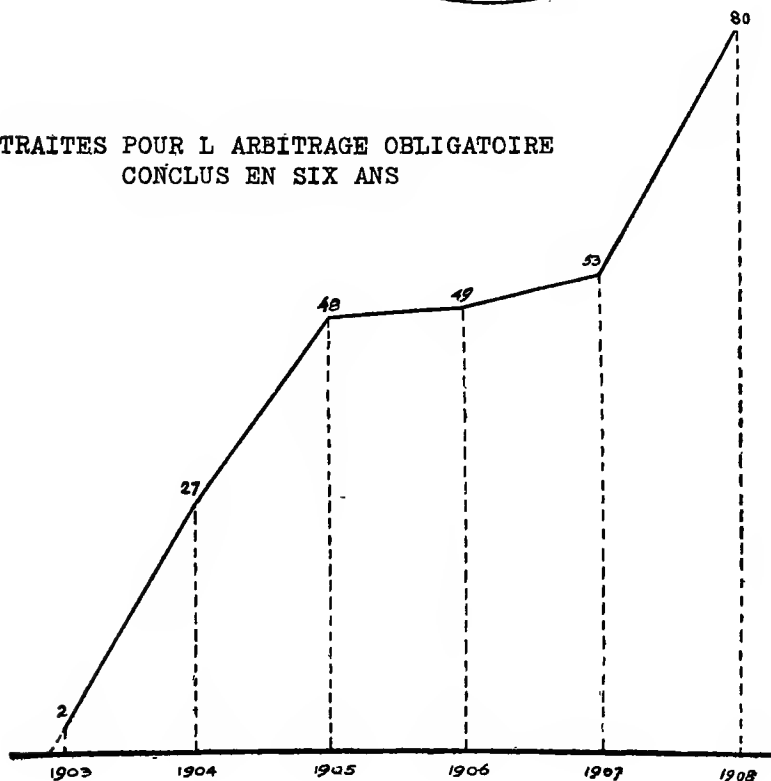
The procedure is determined by special agreement. No code as yet accepted, though Hague Conferences make a beginning, 1899, I, Art. 48: The "tribunal is authorized to declare its competence in interpreting the 'Compromis' . . . and in applying the principles of international [the word "international" was omitted from the draft of the Convention for Pacific Settlement Art. 73, 1907] law." (Scott: Texts, 40-41.)

LE VOTE EN FAVEUR  
DE L'ARBITRAGE OBLIGATOIRE  
A LA 2<sup>e</sup> CONFERENCE DE  
LA HAYE. PAR HABITANT



EN FAVEUR 35	CONTRE 2	NON VOTANTS 4
VOTE PAR NATIONS		

TRAITES POUR L'ARBITRAGE OBLIGATOIRE  
CONCLUS EN SIX ANS



## 3. Appeal and revision.

Arbitration implies the intention to accept the award. Hague Conference, 1899, I, Art. 55: "The parties can reserve in the 'Compromis' the right to demand the revision of the award. In this case, and unless there be an agreement to the contrary, the demand must be addressed to the Tribunal which pronounced the award. It can only be made on the ground of the discovery of some new fact calculated to exercise a decisive influence on the award, and which, at the time the discussion was closed, was unknown to the Tribunal and to the party demanding the revision. Proceedings for revision can only be instituted by a decision of the Tribunal expressly recording the existence of the new fact, recognizing in it the character described in the foregoing paragraph, and declaring the demand admissible on this ground. The 'Compromis' fixes the period within which the demand for the revision must be made." (Scott: Texts, 42-43.)

Renewed in practically the same terms in 1907, Convention I, Art. 83. (Scott: Texts, 186-7.)

## 4. The sanction of arbitration.

Public opinion.

Surrendering the object in dispute to the arbiters beforehand, to be disposed of according to the sentence; or, if that is not feasible, giving some pledge which is to be sequestrated if the award is not accepted; such as territory, a building, property, lien on customs, a ship, etc.

(Chile offered to deposit one million dollars with the Hague Tribunal in her dispute with the United States, 1909.)

## G. Mediation and good offices.

Object: to permit third powers to help disputants bring their differences to arbitration, or to bring a war to an end.

Encouraged by the Hague Conferences.

1899, I, Art. 2-8 (Scott: Texts, 24-26).

1907, I, Art. 2-8 (Scott: Texts, 157-159).

## H. International Commissions of Inquiry (Ralston, 315-318).

First formal recognition by Hague Conference, 1899, I, Art. 9-14. (Scott: Texts, 26-28.)

If powers cannot settle a matter by diplomatic means, a commission may be appointed to investigate the facts.

Constituted by special agreement (as above).

Powers are expected to help the work of the commission by furnishing the facts in their possession.

Report of the commission has about it nothing of the character of an award, and leaves the nations at dispute their entire freedom.

Commission employed in the "Dogger Bank" affair. (Only use to date.)

Second Hague Conference, 1907, I, Art. 9-36 (Scott: Texts, 159-168), elaborates the scheme.

*I. Frequency of recourse to arbitration. (Hague cases. See Lecture XXVII.)*

Moch, 26. 1800-1900. 212 cases. All accepted.

Darby, 769-917. 1800-1900. 222 arbitrations proper.  
1900-1904. 21

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Total 243 formal arbitrations.

Besides these, Darby gives 297 instances in which he considers the principle of arbitration was applied.

La Fontaine, viii. 1794-1900, 177 arbitrations.

1794-1820.....15 cases.

1821-1840..... 8

1841-1860.....20

1861-1880.....44

1881-1900.....90.

By countries to 1901. (To 1904, Richet, p. 304.)

Great Britain.....70 (heads the list).

United States .....56

Chile .....26

France .....26

(For the complete list by countries and by grand divisions see La Fontaine, ix.)

Richet, 362-4. 1794-1904. 210 cases.

(Richet gives a list of these cases by years and by decades, showing the average per year.)

*J. Serious differences settled by arbitration (selected).*

Alabama case (1871-2); The Carolines (Germany and France, 1885); Samoan Case (United States, Germany, England, 1899); Guiana boundary (England-Venezuela, 1899; United States intervened); Casablanca affair (Germany-France, 1909); House-Tax case (England, France, Germany-Japan, 1905), etc.

*K. Classes of differences submitted to arbitration.*

Boundary disputes (probably most abundant), territory, violation of territorial integrity, pecuniary claims of all kinds (including the crown jewels of the House

of Hanover), commerce, navigation of rivers, fisheries, interpretation of treaties, violations of treaties, indemnities, immigration, citizenship, tariffs, seizure of ships, false arrests (sovereignty?—succession to the throne of Persia, 1835; inheritance in Lippe-De-mold, 1897; House-tax in Japan, 1905; Ottoman Public Debt, 1903).

L. Success of arbitration: Every award has been accepted.

(Some mention the award of the King of the Netherlands in the Canadian boundary case between the United States and Great Britain, 1831, as an exception. However, the United States rejected the award on the ground that the arbiter had exceeded his powers; hence this is not a real refusal to accept the decision. The difference was settled by the Webster-Ashburton Treaty in 1842.)

Bolivia and Peru threatened to reject an arbitral sentence in 1909, but finally accepted it.

M. The cost of arbitration. It is insignificant compared to the cost of war.

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[A collection of all known arbitrations and arbitration treaties is in preparation.]  
(Consult also periodicals, encyclopedias, treatises on international law, etc.)

## XXII. UNLIMITED TREATIES OF ARBITRATION.

(Krehbiel)

- A. Treaties of unlimited arbitration are those which contemplate the arbitration of all differences which are really international in character.

The prevailing type of treaty reserves certain categories of differences from arbitration, "differences . . . which do not affect the vital interests, the independence, or the honor of the two contracting parties, and do not concern the interests of third parties."—(Treaty between United States and Great Britain, 1908.)

- B. Treaties of unlimited arbitration.

1. Argentine-Chile.

May 28, 1902. Ratifications exchanged September 22, 1902. (British and Foreign State Papers, 95, 759.)

Art. I. "The High Contracting Parties bind themselves to submit to arbitration all controversies between them, of whatever nature they may be, or from whatever cause they may have arisen, except when they affect the principles of the Constitution of either country, and provided that no other settlement is possible by direct negotiations."

(Article II provides that questions that are regarded as settled at the time the treaty is signed may not be forced to arbitration under the treaty.)

2. Denmark-Netherlands.

February 12, 1904. Ratifications exchanged March 8, 1906. (British State Papers, 98, 454. Moch, 86.)

Art. 1. "Les Hautes Parties contractantes s'engagent à soumettre à la Cour Permanente d'Arbitrage tous les différends et tous les litiges entre elles, qui n'auront pu être résolus par les voies diplomatiques."

Art. 3. "Il est bien entendu que l'article 1<sup>er</sup> n'est pas applicable aux différends entre les ressortissants de l'un des états contractants et l'autre état contractant, que les tribunaux de ce dernier état seraient, d'après la législation de cet état, compétents à juger."

3. Denmark-Italy.

December 16, 1905. Ratifications exchanged May 22, 1906. (British State Papers, 99, 1035. Moch, 86-7.)

By article 1 the contracting parties agree to submit  
 "tous les différends de n'importe quelle nature  
 qui viendraient à s'élever entre elles et qui  
 n'auraient pu être résolus par les voies diplo-  
 matiques, et cela même dans le cas où ces dif-  
 férends auraient leur origine dans des faits  
 antérieurs à la conclusion de la présente con-  
 vention."

Art. 4. "Il est entendu qu'à moins que la contro-  
 verse ne porte sur l'application d'une convention entre  
 les deux états, ou qu'il ne s'agisse d'un cas de déni de  
 justice, l'article 1<sup>er</sup> ne sera pas applicable aux différends  
 qui pourraient s'élever entre un ressortissant de l'une  
 des parties et l'autre état contractant lorsque les tri-  
 bunaux auront, d'après la législation de cet état, com-  
 pétence pour juger la contestation."

4. Denmark-Portugal.

March 22, 1907.

(Similar to Denmark-Italy treaty. Moch, 86.)

5. Costa Rica-Honduras-Guatemala-Nicaragua-Salvador.  
 December 20, 1907.

Each of these countries entered upon the treaty with  
 each other, which is the reason why Moch counts this  
 series as ten treaties. (Bulletin of the Bureau of  
 American Republics, 25, 1345f.)

Article I. They [the Republics of Central Amer-  
 ica] "bind themselves to always preserve the most com-  
 plete harmony and decide every difference or difficulty  
 that may arise amongst them, of whatsoever nature it  
 may be, by means of the Central American Court of  
 Justice, created by the Convention which they have con-  
 cluded for that purpose on this date."

This article should be taken together with Articles  
 I and II of the Convention for the Establishment of a  
 Central American Court of Justice (Bulletin of the  
 Bureau of American Republics, 25, 1351): "The High  
 Contracting Parties agree by the present Convention to  
 constitute and maintain a permanent tribunal which shall  
 be called the 'Central American Court of Justice;' to  
 which they bind themselves to submit all controversies  
 or questions which may arise among them, of whatsoever  
 nature and no matter what their origin may be, in case  
 the respective Departments of Foreign Affairs should  
 not have been able to reach an understanding."

Article II. "This court shall also take cognizance of the questions which individuals of one Central American country may raise against any of the other contracting Governments, because of the violation of Treaties or Conventions, and other cases of an international character; no matter whether his own Government supports said claim or not; and provided that the remedies which the laws of the respective country provide against such violation shall have been exhausted and that a denial of justice shall be shown."

6. Italy-Netherlands.

November 28, 1909.

(Moch, 90.)

Art. I. "Les Hautes Parties contractantes s'engagent à soumettre à la Cour Permanente d'arbitrage tous les différends qui viendraient à s'élever entre elles et qui n'auraient pu être résolus par la voie diplomatique, et cela même dans le cas où ces différends auraient leur origine dans des faits antérieurs à la conclusion de la présente convention."

Art. 6. "Dans les questions du ressort des autorités judiciaires nationales, selon les lois territoriales, les parties contractantes ont le droit de ne pas soumettre le différend au jugement arbitral avant que la juridiction nationale compétente se soit prononcée définitivement, sauf le cas de déni de justice."

(Moch classifies the treaty between Italy and Argentine, September 18, 1907, and between Italy and Mexico, October 16, 1907, as unlimited. However, these treaties expressly except differences respecting nationality from arbitration.)

C. Resumé of the treaties. They agree to arbitrate all differences except—

1. Those which can be settled by diplomacy.

All the treaties make this exception, but it does not properly constitute a reservation.

2. Those which affect the principles of the constitution of either country. (Treaty I.)

Under the prevailing theories of sovereignty and independence of states, such differences are not properly international matters; and may, therefore, be said to be excepting no *international* differences from arbitration. However, as disputes may arise between nations over constitutional matters, this treaty is not generally considered to be unlimited.

3. Those (between individuals and states) which according to the existing laws of the country (treaties 2, 3, and 6) fall within the jurisdiction of the national courts, unless—
  - a. The difference arises out of the application of a convention between the states (treaties 3 and 4).
  - b. Justice has been denied (treaties 3 and 4); and this is shown (treaties 5 and 6).

From the foregoing it appears that none of the so-called treaties of unlimited arbitration agrees to submit *all* international disputes to arbitration; rather, they contemplate the arbitration of all questions which are *truly international*, and not purely governmental in character.

### XXIII. EXAMPLES OF INTERNATIONAL ARBITRATION.

(*Jordan*)

- A. Three ways of settling an international difference peaceably.
  - 1. Adjustment.
  - 2. Arbitration.
  - 3. Judicial determination.
- B. Adjustment.
  - Maine boundary.
  - "Fifty-four forty or fight."
  - Northwest angle.
  - Pope's folly.
- C. Arbitration.
  - 1. Bering Sea case (1892).
    - a. Question.
      - Fur seal breeds on Pribilof and Komandorski.
      - Remains in sea all winter.
      - Females go out to feed in summer.
      - Young born in early July, weaned in September.
      - 1,000,000 females on Pribilof in 1885; 500,000 on Komandorski.
      - 29 out of 30 males superfluous.
      - Land killing affects superfluous males only.
      - Pelagic sealing kills animals at sea indiscriminately.
      - For every female killed, one unborn young dies, or "pup" starves.
      - Cut down to 350,000 in 1893.
      - Cut down to 150,000 in 1897.
      - Seizure of Canadian vessels.
    - b. Court of arbitration.
      - Seven judges: two American, two British, one French, one Norwegian, one Italian (advocates on bench).
      - No experts allowed to appear; no cross-examination.
      - No agreed case or statement of facts.
      - All testimony in printed affidavits (mostly perjury on both sides).
      - Judges could not read testimony (time too short and language foreign).
      - Introduction of new evidence (by telegram) in closing argument.
      - Arbitration (splitting the difference) in place of judgment.

- c. Claim of United States.  
 Bering Sea a *Mare Clausum* (on basis of Russian claims).  
 Justified in seizing poachers. (Act of war.)  
 Fur seal has *animus revertendi* (purpose to return).
- d. Claim of Great Britain.  
 Bering Sea open ocean.  
 Hence, natural right to kill (because not forbidden).  
 Animal not harmed by killing of females and young.
- e. British claims, based on affidavits:  
 That seals shot and lost are not more than 3%.  
 That females did not out-number males.  
 These largely barren.  
 That Russian and American herds intermingle.  
 That not all seals land.  
 That the number steadily increases.  
 That they mate at sea.  
 That they have other breeding places.  
 That they find new ones.  
 That sexes are indistinguishable.  
 That sexes travel together.  
 That breeding islands are often raided.  
 That starving pups seek other mothers.  
 That pups eat sea weed.  
 That driving on land destroys virility.  
 That killing of superfluous males destroys herd.  
 That Russia only demanded 30 miles of protection.
- f. Decision of court.
  - a. Matters of law.  
 Bering Sea not *Mare Clausum*.  
 Herd not owned by U. S.  
 No right of seizure.  
 Seals must be protected in interest of humanity.
  - b. Arbitration.  
 Regulations set up to preserve the fur seal;  
 these the result of splitting difference, not  
 study of animal. This made killing legal  
 and gave it great impetus, being no longer  
 illicit adventure or piracy.  
 Herd has 50,000 breeding females (1910).  
 Probable basis of settlement.

2. Alaska Boundary (1903).  
     Boundary on mountain chain or three miles from coast,  
     if mountains are frontier.  
     Settled by judicial determination.  
     Compromise was expected.  
     Compromise on Pearse Channel *vice* Portland  
     Channel.
3. Samoan Affair (1899).  
     Bombardment of Apia.  
     Germany vs. Great Britain and United States.
4. Newfoundland Fisheries.  
     Principle of servitude.  
     Does coast-line follow indentations?
5. The International Fisheries.  
     Adjustment by commission.  
     "The Marauders' Plea of Contiguity."

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 and in "Imperial Democracy."  
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 (1911).  
 Balch: The Alabama Arbitration (1900).  
 Balch: The Alaska Frontier (1903).  
 Balch: The Alaska-Canadian Frontier (1902).  
 (For additional references consult the particular cases in Darby:  
 International Tribunals.)



## XXIV. THE FIRST HAGUE CONFERENCE.

May 18-July 29, 1899.

*(Krehbiel)*

## A. Origin: Called by the Czar.

1. "Rescript," August 24, 1898.

2. Second rescript, Jan. 1899. Contained program. (Scott, 4.)

## B. Place: Hague; House in the Woods ("Huis ten Bosch").

## C. Members.

Difficulty as to what powers should be invited.

Russia invited all those having representatives at St. Petersburg. Exceptions.

59 powers claimed sovereignty; 26 were represented.

20 European (Monaco, San Marino, Papacy omitted).

4 Asiatic: China, Japan, Siam, Persia.

2 American: United States, Mexico.

100 Delegates: from 1 to 8 per nation.

Each country had *one* vote.

Delegates seated alphabetically (by countries).

## D. Festivities, ceremonies, etc.

## E. Organization.

Conference: Plenary session. There were 10 of these.

President: Baron de Staal (Russia).

Cabinet consisting of "first delegates."

Steering committee of first delegates of the seven great powers.

## Commissions.

1. Armaments and the use of new kinds of implements.  
50 members.

a. Military warfare.

b. Naval warfare.

2. Laws and customs of warfare. 67 members.

a. Military.

b. Naval.

3. Arbitration and other means of preventing war. 59 members.

Commission on Petitions. 15 members.

Commission on Editing. 4 members.

(Each state had right to be represented on a commission and first delegates determined membership.)

## Honorary offices.

## F. Procedure.

Language: French.

Secret. No stenographic reports.

Objection of reporters, "Ambassadors of the people."

Summaries of each session authorized.

Method of considering propositions.

Deputations, delegations and petitions.

Resolutions of the Conference are of three classes:

1. Conventions.

2. Declarations.

3. Wishes (*vœux*): projects.

Conference adopted—

Three conventions (Scott, Texts, 21-79).

Three declarations (Scott, 79-85).

Six wishes (Scott, 20-21).

## G. Achievements.

1. The greatest achievement was undoubtedly the fact that the Conference accomplished anything at all, for it was generally expected to fail. The success of the first venture led to the Second Hague Conference.

2. Conventions.

- a. Convention for the peaceful adjustment of international differences. (Scott: Texts, 21-45).

Good offices and mediation to be tried.

International commissions of inquiry pronounced "useful" (and "desirable" in 1907).

Permanent Court of Arbitration established. The best thing accomplished by the first conference.

Nations agreeing to this convention and the proportion of the world's population represented by them.

World's population, 1899: 1,531,463,430.

Signatories, 22 powers, representing 54 per cent. of the world's population.

Signatories with reservation, 4 powers representing 8 per cent. of the world's population.

Total signers 26 powers, representing 62 per cent.

Adhering to the Convention later (not having been represented at The Hague), 18 powers representing 29 per cent.

Total accepting Convention, 44 nations representing 91 per cent. of the world's population.

*b.* Convention regarding the laws and customs of war on land. (Scott: Texts 45-71.)

Adopted a code of warfare, based on the Lieber Code, which sought not only to alleviate suffering, but to prevent it as well. (Cf. Syllabus XXI.)

*c.* Convention for the adaptation to maritime warfare of the principles of the Geneva Convention, 1864. (Scott: Texts, 71-79.) (Cf. Syllabus XXI.)

### 3. Declarations.

*a.* To prevent the launching of projectiles and explosives from balloons or by other similar new methods. (Scott: Texts, 79-80.) For five years.

*b.* To prohibit the use of projectiles, the only object of which is the diffusion of asphyxiating or deleterious gases. (Scott: Texts, 81-83.)

*c.* To prohibit the use of bullets which expand or flatten easily in the human body (mushroom bullets) such as bullets with a hard envelope, of which the envelope does not entirely cover the core, or is pierced with incisions. (Scott: Texts, 83-85).

### H. Signatures and ratifications.

1. Signatures, Scott: Texts, 86-7.

2. Ratifications, U. S. Foreign Relations, 1905, title Netherlands.

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Higgins: The Hague Peace Conferences and other International Conferences concerning the Laws and Usages of War (1909).

## XXV. THE SECOND HAGUE CONFERENCE.

June 15-October 18, 1907.

*(Krehbiel)*

- A. Origin. (Scott: Texts, 93-III.)
  - Requested by the Interparliamentary Union in St. Louis, 1904.
  - Delegation to President Roosevelt.
  - Circular of Secretary Hay, 1904.
  - Roosevelt relinquished the honor of calling the conference to the Czar.
  - Czar issued invitation and program, April, 1906. (Scott, 103.)
  - Additions to the program.
    - Limitation of armaments. United States, Spain, England.
    - Collection of contract debts. United States.
- B. Place: The Hague; Hall of the Knights ("De Ridderzaal").
- C. Members.
  - More nations invited than to first conference (South American Republics).
  - 59 states claimed sovereignty: 47 were invited; 44 accepted, representing more than 96% of the world's population.
  - 21 European states (Norway having become independent).
  - 4 Asiatic.
  - 19 American.
  - 256 delegates: 1 to 15 per country; one vote per country; delegates seated as before.
- D. Festivities.
  - Cornerstone of the Palace of Peace laid, July 30. (Carnegie.)
  - Each country to furnish something in the way of decoration for the structure. (D'Estournelles de Constant.)
- E. Organization.
  - Conference: plenary sessions, 11 in all.
  - President: M. Nelidow (Russia).
  - Steering committee: delegates of the great powers.
  - Commissions.
    - 1. Arbitration.
      - a. Projects for arbitration and prevention of war, 103 members.
      - b. Maritime prizes, 89 members.

2. War on land.
    - a. Laws and customs of war on land, 79 members.
    - b. Rights and duties of neutrals on land; and declaration of war. 82 members.
  3. War on the sea.
    - a. Bombardment of ports, and the use of submarine mines, torpedoes, etc., 73 members.
    - b. Belligerent ships in neutral waters; and the application of the Geneva Convention to naval warfare, 82 members.
  4. Maritime law, 114 members.
- Commission on petitions, 5 members.  
Commission on editing, 29 members.

#### F. Procedure.

Much the same as in the first conference. The proceedings were more open.

The Conference adopted. (Scott: Texts, 135-141.)

13 Conventions

1 Declaration

2 Declarations of principle.

4 Opinions.

1 Desire (besides certain other similar measures).

#### G. Achievements.

##### 1. Convention for the pacific settlement of disputes.

Signed by 35 powers, representing 83% of the world's population.

Signed (with reservation) by 8 powers, representing 13% of world's population.

Abstained from voting, 1 power.

Accepted by 43 powers representing 96% of the world's population (1,668,706,000, in 1907).

Improved the permanent court of arbitration.

Either party to a dispute may, without consulting the other, declare its willingness to submit the difference to arbitration.

Arbitration remained voluntary except—

That force is to be used for the collection of contract debts only after arbitration has failed (Convention II, Scott: Texts, 193-198).

Approved by 34 nations representing 68% of the world's population. 10 nations (28%) did not vote.

When prize is taken in war. This is to be tried before the prize court established by this conference (Convention XII, Scott: Texts, 288-317).

Approved by 31 nations representing 32% of the earth's population.

Not voting, 13 nations representing 64% of the earth's population.

2. Further rules of warfare on land (Conventions III, IV, V. Scott: Texts, 198-240. Lecture XXI).

3. Rules for maritime warfare (Conventions VI-XI; XIII. Scott: Texts, 240-288).

Humanize naval warfare, increase the protection of neutrals, and attempt to "canalize" hostilities.

4. Declaration against the launching of explosives from balloons and air-craft "until the end of the next conference." Nations more cautious in signing than in 1899.

5. The Conference "is unanimous: 1, in admitting the principle of compulsory arbitration; 2, in declaring that certain disputes, in particular those relating to the interpretation and application of the provisions of international agreements, may be submitted to compulsory arbitration without any restrictions." (Scott, 137.)

6. The Conference expressed a wish for a third conference to be "held within a period corresponding to that which has elapsed since the preceding conference." The calling of this new conference was taken out of the hands of any one government and given to an international committee which is to meet for that purpose about two years before conference assemblies. Committee has charge of preparing the program. Preliminary steps were taken in The Hague in February, 1912, for the summoning of the third conference in 1915.

#### H. Signatures and ratifications.

1. Signatures, Scott: Texts, 336-339.

2. Ratifications, *American Journal of International Law*, 5, 769.

#### REFERENCES

Same as for preceding lecture.

Deuxième Conférence de la Paix. Actes et documents (Nijhoff, 1907).

Wehberg: Kommentar zu d. Haager Abkommen betreffend die friedliche Erledigung internationaler Streitigkeiten, vom 18 Oktober, 1907 (1911).

Commissions nationales de la paix et préparation de la troisième conférence de La Haye (1911).

## XXVI. INTERNATIONAL COURTS.

*(Krehbiel)*

I. Permanent Court of Arbitration, 1899. (Scott: Texts, pp. 30-45; 170-188.)

A. Administration of the Court.

1. Permanent Administrative Council consists of diplomatic representatives accredited to The Hague.  
Organizes and administers the International Bureau.
2. International Bureau; record office of court.  
Secretarial in character; has custody of archives.  
Makes necessary preparations and gives its premises for court purposes.  
Publishes the documents of cases determined by the Court.  
Expenses carried by signatory powers in proportion fixed by Universal Postal Union.

B. Jurisdiction.

1. Competent for all arbitration cases unless parties agree to institute a special tribunal.
2. Non-signatory powers may use court free.

C. Organization.

1. Judges. (See list of in World Almanac 1912, pp. 126-128.)

Each power selects four or less persons. Same person may be selected by several powers.

150 selected up to 1912.

Term six years; renewable.

2. Judges for any particular case.

Each disputant selects two judges from list above.

Only one may be from nation of disputant (1907 amendment).

These four choose an umpire.

Failing to agree, selection is entrusted to a third power.

This failing, each party selects a different power and these two determine the umpire.

This failing, after two months, each party selects two judges from list above (not nationals) and lot determines which of these is to be umpire (1907).

3. Arbitrators enjoy diplomatic privileges and immunities.

## D. Operation.

## 1. Preliminaries.

- a. Agreement of nations necessary to bring case before the court (amendment 1907).
- b. "Compromis" (text of this agreement) states difference and arbitrators' powers.
- c. Signatory powers have duty of reminding other states of court.

## 2. Procedure.

- a. To sit at The Hague unless some other place be selected by the arbitrators (1907).
- b. Language to be used determined by the court.
- c. Discussions public only if parties assent.
- d. Recorded in "procès-verbaux."

This supplied to the powers invited to the second Peace Conference as well as to powers which have adhered to the convention (1907).

- e. Deliberations of the court private ("and remain secret," 1907).

## 3. Award.

- a. Given by majority vote, accompanied by reasons. Minority may record dissent when signing.
- b. Award is binding upon parties.
- c. No appeal from the award.
- d. Revision permitted if:

(1) Stipulated by "compromis" and within time stipulated.

(2) New facts of vital importance are discovered which were unknown at time of award to court and party demanding revision. (Court determines that question, 1907.)

- e. Drawn up in writing and read at a public meeting of the tribunal, the agents and counsel of the parties being present.

## 4. Expenses.

Each party pays its own and an equal share of the court's.

## II. International Prize Court, 1907. (Scott: pp. 288-317.)

## A. Administration.

- 1. The Administrative Council fulfills with regard to the Prize Court the same functions as to the Permanent Court of Arbitration but only representatives of contracting powers may be members of it.
- 2. The International Bureau acts as registry to the court.



B. Jurisdiction.

Cases appealed under fixed conditions after having been tried in national courts. No further appeal.

(The agreements of the Declaration of London, 1909, will presumably be the basis of decisions.)

C. Organization.

1. Composed of judges and deputy judges appointed by the contracting powers.
2. Appointed for six year term; renewable; equal in rank; seniority.
3. 15 in all; 8 powers represented all the time: Germany, United States, Austria-Hungary, France, Great Britain, Italy, Japan and Russia. Judges from others sit "by rota." (Scott, pp. 316-7.)
4. Paid by International Bureau. No other compensation.

III. Central American Court of Justice, 1907. (International Bureau of American Republics, Vol. 25, pp. 1351-7.)

A. Administration.

1. Court elects its own officials, including president, vice-president, secretary, and treasurer.
2. Makes its own rules of procedure.
3. Sits at city of Cartago in Costa Rica unless necessary to move.

B. Jurisdiction.

1. "All controversies or questions which may arise among them of whatsoever nature and no matter what their origin may be, in case the respective Departments of Foreign Affairs should not have been able to reach an understanding."
2. Also international questions which may arise between a Central American government and a foreign government.
3. Questions between an individual and a Central American government.
4. Shall also have jurisdiction over the conflicts which may arise between the legislative, judicial and executive powers.

C. Organization.

1. Five justices, named by the legislative body of the respective powers and also two substitutes from each.
2. Appointed for five years and can carry on no other work during period.

3. All five necessary for a quorum. Agreement of three or more necessary for a decision.
4. Judgments communicated to all five Republics. Binding and final. Salaries paid by treasurer of the court. Expenses borne equally by all nations.

[This agreement is valid for ten years.]

#### IV. Proposed Court of Arbitral Justice, 1907. (Scott: Texts pp. 141-154).

##### A. Administration.

Administered by International Bureau.

##### B. Jurisdiction.

1. Cases to be decided on their merits.
2. Only signatory powers can use it.

##### C. Organization.

1. Composed of judges and deputy judges selected from persons of high standing in their respective countries.

Method of appointment left to individual nations.

2. Term of judges 12 years; equal in rank; seniority.
3. Three judges selected annually by others form delegation to carry the administrative work of court.
4. Judge not to act in case where his country is a litigant.
5. Salaries paid by International Bureau. No other compensation permitted.
6. Enjoy diplomatic privileges and immunities.

##### D. Procedure.

1. Court to meet at fixed times and sit until business is finished.
2. Sits at The Hague and cannot be transferred unless absolutely obliged by circumstances.
3. A report of the doings of the court drawn up every year by the delegation and sent to contracting powers.

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Note the references in the lecture.

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Berthon: La juridiction des prises maritimes.

de Caqueray: Le jugement des prises maritimes.

Scott: Hague Peace Conferences (1909), I, 423-464.

## XXVII. CASES DETERMINED OR PENDING IN INTERNATIONAL COURTS.

(*Krehbiel*)

*Before the Permanent Court of Arbitration at The Hague.*

1. United States of America vs. Mexico.

Referred by Treaty concluded at Washington, May 22, 1902.

Subject: The Pious Funds of the Californias.

Decision of Court given October 14, 1902.

a. Documents.

Recueil des Actes et Protocoles concernant le Litige du "Fonds Pieux des Californies." La Haye, 1902.

Amer. J. Intern. Law 1908, vol. 2: 893-902.

U. S. Govt. Doc. 4377, No. 646.

U. S. Statutes at Large, vol. 32, Part II, 1916.

b. References.

J. W. Foster: Hague Arbitrations, 137.

R. of R's. vol. 26: 419-24.

Intern. Year Book 1902, 35.

2. British Isles, Germany and Italy, vs. Venezuela.

Referred by Treaty concluded at Washington, May 7, 1903.

Subject: The Affairs of Venezuela.

Decision of Court given February 22, 1904.

a. Documents.

Recueil des Actes et Protocoles concernant le Litige entre L'Allemagne, L'Angleterre, et L'Italie et Venezuela. La Haye, 1904.

Venezuela Arbitrations of 1903. Ralston's Report (1904).

U. S. 58th Congress, 3d Session, Senate Doc. 119 (Serial number, 4769).

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b. References.

Cambridge Modern History, XII, 695.

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229-40.

Independent, 55: 2373, 2560-2, 2612-16, Editorial  
2713-4.

Independent, 56: 487-8.

3. British Isles, France and Germany vs. Japan.

Referred by Treaty concluded at Tokyo, August 28, 1902.

Question in Dispute: The House Tax in Japan.

Decision of the Court given May 22, 1905.

a. Documents.

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entre L'Allemagne, La France, et La Grande  
Bretagne, et Le Japon. La Haye, 1904.

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Great Britain, Parliamentary Papers, 1905, vol.  
CIII, cd. 2583.

Great Britain, Parliamentary Papers, 1904, vol. CX,  
cd. 1810.

b. References.

Annual Register, 1902, 393.

Japan Weekly Mail, 1905, 555-6. 591.

London Times, Weekly Edition, 1902, 632.

London Times, Weekly Edition, 1904, 613; 757.

London Times, Weekly Edition, 1905, 323.

4. British Isles vs. France.

Referred by Arbitral Compromise at London, October 13,  
1904.

Question in Dispute: The "Boutres" (native craft) of Mus-  
cat.

Decision of Court given August 8, 1905.

a. Documents.

Recueil des Actes et Protocoles concernant le Dif-  
férend entre La France et La Grande Bretagne à  
propos des boutres de Mascate. La Haye, 1905.

Amer. J. Inter. Law, 1908, vol. 2: 923.

b. References.

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## XXVIII. ARGUMENTS AGAINST PEACE.

(Krehbiel)

- A. Evils inherent in the ideal of universal peace.
  - 1. Disarmament would disorganize all economic conditions.
    - a. Vast numbers of workers (soldiers and makers of war materials) would be thrown out of employment.
    - b. Inventive genius would be deprived of its readiest market.
  - 2. The enfeebling or disappearance of patriotism.  
Anti-patriotism. Hervéism.
  - 3. The extinction of courage, producing an effeminate race.
  - 4. The supreme arbitral court would fail to give justice in many cases: graft and influence.
  - 5. Nations would suffer injustice without means of redress: "the peace of unrighteousness."
- B. War is inevitable.
  - 1. History is one series of wars.
    - 3357 years: from 1496 B. C. to 1861 A. D.
    - 3130 years of war in that time.
    - 227 years of peace.
    - Thirteen years of war to one of peace.  
(Bloch: Future of War, lxv.)
  - 2. Human nature is unchangeable.
    - a. Men consider fighting as the honorable and manly way of settling their differences. (Ruskin: Crown of Wild Olive, "War.")
    - b. Human nature remains impulsive.
    - c. Even if men are becoming more deliberate, they will always have convictions, for which they will fight.
  - 3. Universal peace presupposes the same standard of civilization for all nations; and homogeneity within the nations. As long as there are "inferior" peoples, superior peoples will take advantage of them.
- C. War and militarism are beneficial on the whole.
  - 1. Militarism furnishes an opportunity for—
    - a. Education of the private.
    - b. Development of national unity and patriotism.
    - c. National physical training.



*d.* Moral training

For the nation: teaches the nation how to put the welfare of the nation ahead of private ease.

For the soldier: he is under discipline at the time he most needs it. (Failure to make use of this opportunity is an abuse of the system and should be corrected. Immorality is not limited to barracks.)

2. Armaments are a national insurance of business against war. Granting that the rate of insurance is high, the protection to business etc. justifies the cost. The armed peace.

3. War is a divine ordeal.

"War conforms to the order of things established by God."—(Moltke, Sève: Cours . . . 145.)

Stronger nation does not always prevail: American Revolution.

4. War is justifiable in many cases.

*a.* When it resists aggression; armament is preparation for this.

*b.* When it protects citizens and commerce.

*c.* When it promotes justice: Spanish-American war.

*d.* When it is the lesser of two evils.

*e.* When it is the last resource and solves problems that cannot be solved otherwise. Men want, and must have, questions settled one way or the other at times.

5. War is the means of human progress.

*a.* War is the medium through which the law of evolution works upon peoples. In the case of states, as of individuals, the fittest survive. Social Darwinism. To be "first in peace" a nation must be "first in war."

"If nations ceased, the one to take advantage of the other's weakness, the processes of biological law and therefore of evolution would come to an end."—(Wyatt, Nineteenth Century, 45, 216 f.)

"War has been the method of accomplishing the social evolution of mankind."—(Wyatt, Ib.)

"May God deliver us from the inertia of European peoples and make us a present of a good war, fresh and joyous, which shall traverse Europe with fury, pass her peoples through the sieve and rid us of that scrofulous chaff which fills every place and makes it too narrow for others, so that we can again live a decent human life where a pestilential air now suffocates us."—(Heinrich Leo, 1853.—Sève: Cours . . . 170.)

War is necessary to prevent overpopulation.

The harm to a race through loss of life in war is negligible.

Harm of this kind can come only when soldiers are selected for their physical and mental capacity; which has not always been the case: volunteers or mercenaries were usual except among the early Romans, and recently since the adoption of universal compulsory service in Europe.

Percentage of killed and wounded is very small on the average: Lecture XIII.

The wounded may still make good fathers.

The mothers are as fit as ever.

Economic processes also cost lives, but must none the less continue.

b. It unifies peoples: Germany, Italy, Europe generally after Napoleon.

c. It arouses all the latent energies and powers of a people in a way that no economic or other struggle could. Golden ages in literature.

d. It is the final, and frequently the only means by which new ideals can secure their acceptance: Reformation; American independence; abolition of slavery.

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## XXIX. THE ARGUMENTS AGAINST PEACE EXAMINED.

(*Jordan*)

REBUTTAL OF THE ARGUMENTS ADVANCED IN LECTURE XXVIII.  
(Follows the outline of the previous lecture.)

- A. The evils inherent in universal peace are inherent in human nature; not one of them can be remedied by war. Universal peace will enable men to strive against remediable evils, and attack them by education and better breeding, eugenics and euthenics. Knowledge, not force of arms, is power.
  1. The alleged disorganization of economic conditions will be temporary; and will be followed by better organization.  
The same argument is used against all reforms.
    - a. In honorable production there is "always room for the man of force, and he makes room for many."
    - b. Inventive genius can find play in useful devices. Better laws would give better markets.
  2. The patriotism endangered by peace is based on greed, fear and hate. Patriotism which does not involve love of justice, and does not include regard for common humanity, is without moral or civic value.
  3. There is no truth in the claim that war produces or fosters courage. It is merely the occasion in which innate courage displays itself.
  4. Injustice might arise in an arbitral court, but could be corrected with time. Injustice always arises from the arbitrament of war. "War is never a solution, it is an aggravation."—(Disraeli.)
  5. Nations suffer without redress under the rule of force. War is the creator of the "peace of unrighteousness." Differences between nations usually involve minor matters; war threatens the very existence of a people.
- B. War is no more "inevitable" than slavery, religious persecution, and other evils resulting from abuses of collective power.  
Struggle has many other forms, both in play and earnest, which have replaced war.  
War now confined to a special class as a profession or trade.

1. History is full of evils from which education, science, invention and religion slowly emancipate man.
2. Human nature is unchangeable in fundamental aspects.
  - Hatred of strangers a matter of bad education; desire to rob and murder result of bad moral training.
  - Nature of war, of government, of society, of the attitude toward lust, robbery and murder are always changing.
  - Man growing more tolerant, more cosmopolitan, more self-controlled.
    - a. Men once considered the duel manly and the ordeal by battle righteous. Ruskin's concessions to war a result of bad education, and not borne out by the facts. (See Sumner: War and Other Essays.)
    - b. Men are impulsive. Modern war rests not on impulse but on long planned hope for gain. Nations allowing their impulses to rush them into war stand little chance in modern war.
    - c. The way to fight for convictions is through the machinery of democracy, not with bombs and dreadnoughts. Luther fought for convictions, and one of these was that "force of arms must be kept far from matters of the Gospel."

The fight for the abolition of slavery, abolition of open saloons, for civil service reform, for justice, sanitation, conservation, for the suppression of white slavery do not demand swords nor any of the machinery of war.

No modern war (except civil war) is a fight for convictions. Civil war arises from injustice of the rule of force the last resort of "murdered, mangled liberty." It cannot be avoided by supporting standing armies.
3. Universal peace demands as a final result that nations cease to be *powers* and become *jurisdictions*, like the several states of the United States.
  - Universal desire for fair play would eliminate wars for spoliation.
  - Imperial wars mostly evil; some bring good; some bring mixed results. The right to conquer or correct small or weak nations cannot be trusted to single initiative.
  - Imperial war the last refuge of militarism. An argument against it is that no nation engaging in it (Turkey perhaps excepted) has ever frankly described its motives.
  - Some who call themselves pacifists tolerate it. Others, more justly, condemn all use of force in politics.

C. War and militarism are evil whether as a means or an end.

1. a. Militarism furnishes at great expense a very poor education for the private.

b. It develops a spurious patriotism because both means and end are bad.

c. It gives a very ineffective physical training, too late in life, at too great an expense, and tainted with barrack diseases. It fosters arbitrary power and unquestioning subservience. It endangers government through the reaction against its injustice (example: Hervéism); and some forms of socialism and anarchism are a reaction from militarism.

d. Its moral training glosses evil with self-righteousness. The moral damage of war is just as definite as its physical damage and co-extensive with it. (See Walsh: Moral Damage of War.)

Its patriotism and self-denial are partisan.

The soldier is under bad discipline at a time later than that in which discipline is useful.

Immorality spreads from the barracks. The army is the centre of the spread of venereal disease. The white slaver a recognized function of some armies (See: The Queen's Daughters in India).

2. Armaments make for peace only by making for bankruptcy and throwing the control of nations into the hands of bankers. The greater the armament the greater the danger of clash.

A rate of insurance against war destruction could be obtained at a thousandth part of the cost if private companies are used.

The armed peace is a part of war.

3. The claim that war is a "divine ordeal" is a meaningless blasphemy. So is torture, murder, robbery, rape.

We only know what God ordains by what he permits.

We know that as man rises into His likeness he puts aside one after another the evils of selfishness and cruelty. His life is made beautiful and sweet by self-devotion and by self-restraint, not by killing nor by robbing individually or collectively. The old commandment "Thou shalt not kill" is still in force.

If the stronger nation does not prevail it is because, for one reason or another, half-heartedness, debt, absence of a base of supplies, it was not really the stronger. Providence is notoriously "on the side of strong battalions." In the American Revolution the colonial struggle was an incident in a European conflict which prevented England from showing her real strength in the colonies.

4. War may be justifiable, when inevitable. Granting that past wars were inevitable is not admitting that future wars are unavoidable (Courtney of Penwith: Peace or War?). "All war is bad; some worse than others."  
—(Franklin.)
  - a. War may be justifiable when it resists unwarranted aggression which cannot be met in any other way. Armament as a preparation for imaginary aggression from no conceivable quarter is not justifiable; it is an injurious waste.
  - b. When did war protect citizens and commerce? There may have been cases, but they are mainly pretexts.
  - c. When it promotes justice attainable in no other way. The Spanish American a wrong use of force as Spain had already acceded to all our demands, our Ambassador, General Woodford, having secured for Cuba the autonomy which Canada possesses, and an agreement to arbitrate all differences, the Maine incident included. Whatever the original motive, the war was actually waged solely in the interest of local politics and the desire of exploitation.
  - d. When war is the lesser of two evils, consider the opposed evil and count the cost.
  - e. Arbitration offers a better, simpler, and more honorable settlement than war. War settles nothing save the fact that one or both sides may be helpless. Better leave some things unsettled.
5. War bears but one relation to progress. With the killing of men the barriers men have erected may be swept away.
  - a. The "law of evolution" is simply the expression of the relation of cause and effect. In the killing of weak peoples it needs no help of ours. In so far as man improves it, it is through eugenic influences (selecting the best for the ends of breed) and euthenic influences (giving better nurture, better education, better morals).  
War reverses both of these, producing dysgenics (the condition of being ill-born) and dysthenics (the condition of bad environment).  
To "clean the slate" by murder and arson may leave room for a new people and new institutions. But all the elements of progress belong to constructive or peace influences. Destruction never builds up.

The desire for "good war fresh and joyous" is the criminal's wish for a "wide open town."

The reversed selection of war is not a negligible factor. True, soldiers are not always the best; but did ever a general try to enlist the weakest and the worst?

The killed and wounded on the field but a small part of the losses of war. (Population of the Empire cut down from sixteen to six millions in Thirty Years War.)

The percentage of men murdered, of women stolen, is small in civic life; but we do not tolerate murder and rape on that account.

The wounded may survive. That there has not been an equal reversal of selection among women is the salvation of nations.

Economic processes, when destructive, do not exist for the purpose of destruction. If so, they, like war, should be suppressed. Civilization demands elimination of needless risk. In any event, the wide-awake man has greater chance of escaping from dangers in economic pursuits than the sluggard; in war this is not true, but is reversed if anything.

"Social Darwinism" is the theory that the strong races should exterminate the weak ones. This selfish idea has no foundation in "Darwinism," nor in morals. "The white man's burden" is too often "a device to fill the white man's pocket."—(James Bryce.)

After a battle "you can never be exactly the same. You have been made sick by tasting a dangerous poison. Great soldiers have often told their men after great battles that they have tasted the salt of life. The salt of life! Is it true? . . . For it can be nothing but the salt of death which has lain for a brief instant on the tongue of every soldier, —a revolting salt which the soldier refuses to swallow and only is compelled to with strange cries and demonlike mutterings. Sometimes, poor mortal, all his struggles and his oaths are in vain. The dead salt is forced down his throat and he dies. The very fortunate have only an acrid taste, which defies analysis, left them. . . . It is a very subtle poison which may lie hidden in the blood for many months and many years. I believe it is a terrible thing."—(Weale: Indiscreet Letters from Peking, p. 440.)

- b. The unification of people into "powers" is a movement backward. A just and honorable state cannot be a "power," using physical force on other states. Its proper function, that of a "jurisdiction."
- c. The "golden ages of literature" are a delusion. The real sequel of war is chronic national weakness through debt and through the extinction of strong men.

Disorder is not growth, nor is the "lime-light" an index of national progress.

- d. It is the curse of the world that the righteous ideal has been forced to degrade itself by war. We look for a better state of society in which men shall be free to think and act justly, without encountering and overcoming the brute force of war.

The antidote to war is democracy.

If "government of the people, by the people, for the people perish from the earth," it will be because of war, because order and coöperation "go down in unreason, anarchy and blood."



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### XXX. THE CASE FOR PEACE: WAR IN HISTORY AND LITERATURE.

(*Jordan*)

War inextricably woven into history of civilization.

Records of the past concerned chiefly

With elevation and abasement of kings.

March of armies, noise of battle.

Literature based chiefly on war.

Homer, Virgil.

Christian epics.

Song of Roland.

Holy Grail.

Paradise Lost.

Andalusia.

Ballads.

Venice.

Wars of the Roses.

Thirty Years' War.

Gustavus Adolphus.

William the Silent.

Lyrics and hymns.

The Two Voices.

The Christian Soldier.

Painting, Sculpture.

"Through the whole web of human record runs the blood-red thread of war."

Great literature follows great war.

"The cave-dweller who sketched with a flint on a piece of bone in such a masterly manner, that hairy arctic elephant, did it when safely entrenched in his cave after a successful hunt, in a leisure moment, and on a full stomach."

Art flourishes in peace after successful war.

Golden age of Greek art after Marathon.

Salamis and Thermopylae.

Augustan age after Caesar's campaigns.

Elizabethan age after dispersal of the Invincible Armada.

Spanish art after fall of Moor.

Netherlands after rise of Dutch Republic.

German art and science after Sedan.

Does idealism rise from blood of war, from exaltation, confidence, boastfulness?

Art, the translation of deep experience into visible terms. Cologne and Parthenon. Abundant life makes life more abundant.

Uplift follows successful war.

What of defeat? What if none left to be uplifted? What of loss and waste, and horror and sorrow?

Civilization a march of victors, but none victor for long.  
 "No victory possible save as resultant of totality of virtues;  
 no defeat for which some vice or weakness was not responsible."

Is this true?

Are men weak, flabby, selfish, engrossed in gain, without war?

Is war an agency set on foot for hope of gain?

Do those fight who win? Do those fight who plan the game?

"Part of human nature." What evil is not? Struggles of brains and science against struggles of sinew and dynamite.

Why does war exist?

1. Selfishness: coveting of others' possessions.

"Modern peace only a near relation of war, of a different sex, but of the same blood."

"So love as if you were one day to hate."

2. Restlessness.

The military vs. the social whirl. The prize-fight and the thirst for thrills.

Fondness for combat. Combat and killing not necessarily the same.

3. Poetry of war.

Flags and bugles. Red coats and drums.

### THE PIPES O' GORDON'S MEN.

*'By J. Scott Glasgow*

Home comes a lad with the bonnie hair,  
 And the kilted plaid that the hill-clans wear;

And you hear the Mother say,

"Whear ha' ye bin, my laddie, whear ha' ye bin th' day?"

"Oh! I ha' bin wi' Gordon's men;

Dinna ye hear the bag-pipes play?

And I followed the soldiers across the green,

And doon th' road ta Aberdeen.

And when I'm a man, my Mother,

And th' grenadiers parade,

I'll be mairchin' there, wi' my Father's pipes,

And I'll wear th' red cockade."

Beneath the Soudan's sky ye ken the smoke,  
As the clans reply when the tribesmen spoke.

Then the charge roars by!

The death-sweat clings to the kilted form that the stretcher brings,  
And the iron-nerved surgeons say,  
"Whear ha' ye bin, my Laddie, whear ha' ye bin th' day?"  
"Oh, I ha' bin wi' Gordon's men;  
Dinna ye hear th' bag-pipes play?  
And I piped the clans from the river-barge  
Across the sands—and through the charge.  
And I—skirled the—pibroch—keen—and high,  
But th' pipes—bin broke—and—my—lips—bin—dry."

### WAR

*By Richard Le Gallienne*

War

I abhor!

And yet how sweet

The sound along the marching street

Of drum and fife, and I forget

Wet eyes of widows, and forget

Broken old mothers, and the whole

Dark butchering without a soul.

Without a soul—save this bright drink

Of heady music, sweet as hell;

And even my peace-abiding feet

Go marching with the marching feet,

For yonder, yonder goes the fife,

And what care I for human life!

The tears fill my astonished eyes,

And my full heart is like to break,

And yet 'tis all embannered lies,

A dream those little drummers make.

Oh, it is wickedness to clothe

Yon hideous, grinning thing that stalks

Hidden in music, like a queen

That in a garden of glory walks,

Till good men love the things they loathe;

Art, thou hast many infamies,

But not an infamy like this,

Oh, snap the fife, and still the drum,

And show the monster as she is!

"The flower of life is red."

"Human kind without emotionality, coursing red blood, and without the out-reaching of personality was inconceivable."

The universe begotten of clashing atoms; race against race; species against species; individual against individual.

But all this not the war of the militarist, wholesale killing, not individual struggle. "Unreasoning anger" set in operation by unbridled greed. There are struggles, natural and desirable. The wholesale murder of strangers not of these.

Civilization makes friends of strangers, removes barriers of age, race, nation, even of species.

To pour out blood and money at dictate of quarreling individuals and cliques, who struggle only through the lives of those they destroy.

War has no sacredness, no more than a prize-fight. Those who die for their country's sins have wasted life as much as those who die from a defective bridge.

Civilization and commerce, science, invention and religion extend the borders of the in-group until they shall include the earth.

There will always be place for struggle. Competition and co-operation, egoism and altruism go hand in hand, and both are ineradicable and eternal, so long as life endures.

But there is room for eternal struggle, though not a drop of blood be shed wantonly.

## XXXI. "THE GREAT ILLUSION."

[This lecture is a presentation of the argument of Norman Angell's (Ralph Lane) book "The Great Illusion." The following synopsis is taken from the Third Revised and Enlarged Edition of the work, G. P. Putnam's Sons, 1911.]

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What are the real motives prompting international rivalry in armaments, particularly Anglo-German rivalry? Each nation pleads that its armaments are purely for defence, but such plea necessarily implies that other nations have some interest in attack. What is this interest or supposed interest?

The supposed interest has its origin in the universally accepted theory that military and political power give a nation commercial and social advantages, that the wealth and prosperity of the defenceless nation are at the mercy of stronger nations, who may be tempted by such defencelessness to commit aggression, so that each nation is compelled to protect itself against the possible cupidity of neighbours.

The author boldly challenges this universal theory, and declares it to be based upon a pure optical illusion. He sets out to prove that military and political power give a nation no commercial advantage; that it is an economic impossibility for one nation to seize or destroy the wealth of another, or for one nation to enrich itself by subjecting another.

He establishes this apparent paradox by showing that wealth in the economically civilized world is founded upon credit and commercial contract. If these are tampered with in an attempt at confiscation by a conqueror, the credit-dependent wealth not only vanishes, thus giving the conqueror nothing for his conquest, but in its collapse involves the conqueror; so that if conquest is not to injure the conqueror, he must scrupulously respect the enemy's property, in which case conquest becomes economically futile.

Thus it comes that the credit of the small and virtually unprotected States stands higher than that of the Great Powers of Europe, Belgian three per cents standing at 96 and German at 82; Norwegian three and a half per cents at 102; and Russian three and a half per cents at 81.

For allied reasons the idea that addition of territory adds to a nation's wealth is an optical illusion of like nature, since the wealth of conquered territory remains in the hands of the population of such territory.

For a modern nation to add to its territory no more adds to the wealth of the people of such nation than it would add to the wealth of Londoners if the City of London were to annex the county of Hertford. It is a change of administration which may be good or bad; but as tribute has become under modern economic conditions impossible (which means that taxes collected from a given territory must directly or indirectly be spent on that territory), the fiscal situation of the people concerned is unchanged by conquest.

When Germany annexed Alsace, no individual German secured a single mark's worth of Alsatian property as the spoils of war.

The author also shows that international finance has become so independent and so interwoven with trade and industry that the intangibility of an enemy's property extends to his trade. It results that political and military power can in reality do nothing for trade, since the individual merchants and manufacturers of small nations exercising no such power compete successfully with those of the great. Swiss and Belgian merchants are driving English from the Canadian markets; Norway has, relatively to population, a much greater mercantile marine than Great Britain.

The author urges that these little-recognized facts, mainly the outcome of purely modern conditions (rapidity of communication creating a greater complication and delicacy of the credit system), have rendered the problems of modern international politics profoundly and essentially different from the ancient; yet our ideas are still dominated by the principles and axioms and phraseology of the old.

In the second part—"The Human Nature of the Case"—the author asks, What is the basis, the scientific justification of the plea that man's natural pugnacity will indefinitely stand in the way of international agreement? It is based on the alleged unchangeability of human nature, on the plea that the warlike nations inherit the earth that warlike qualities alone can give the virile energy necessary for nations to win in the struggle for life.

The author shows that human nature is not unchanging; that the warlike nations do not inherit the earth; that warfare does not make for the survival of the fittest or virile; that the struggle between nations is no part of the evolutionary law of man's advance, and that that idea resides on a profound misreading of the biological law that physical force is a constantly diminishing factor in human affairs, and that this diminution carries with it profound psychological modifications; that society is classifying itself by interests rather than by State divisions; that the modern State is losing its homogeneity; and that all these multiple factors are making rapidly for the disappearance

of State rivalries. He shows how these tendencies, like the economic facts dealt with in the first part, are very largely of recent growth, and may be utilised for the solution of the armament difficulty, not by inviting the invader, through defencelessness to come in, but by showing the invader that he has no interest in going; in other words, by so modifying current ideas on statecraft that aggression will be deprived of its main motive, and the risk of war and necessity for armament by that much lessened.



## XXXII. THE IMPROVEMENT OF TRANSPORTATION AND COMMUNICATION.

(*Krehbiel*)

- A. Travel and communication in former times.
  - 1. Commerce limited. Each region practically an economic unit, largely independent of all others.
  - 2. Knowledge not general, but circumscribed and concerned chiefly with local interests.
- B. Improvement in transportation and communication.
  - 1. Transportation is now about eight or ten times as rapid as it was formerly. Places are, therefore, only about one-tenth as remote from each other as they were, *i.e.*, the earth is only one-tenth as large as it was to the traveler.
  - 2. Communication, which was formerly no more rapid than travel, is now practically instantaneous. Through the development of news services, newspapers, and mail service knowledge of all parts of the world has become general.
- C. Result: Internationalism.
  - 1. World unity in business, commerce, finance, capital and labor.
  - 2. World life and thought. Good ideas, no matter where they originate, quickly become world ideas.

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#### STATISTICS UPON THE INCREASE OF COMMUNICATION

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Chicago Daily News Al., 1911, p. 59 (1850-1905, by decades).

Commercial Year Book, 1900, p. 505 (1867-99, by 5 yr. periods).

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##### Postal Statistics.

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## XXXIII. INTERNATIONALISM.

*(Krehbiel)*

## A. Private International activities.

## 1. Of individuals or national organizations.

Travel, study (Rhodes scholars; exchange professors).

Interchange of visits by legislators, mayors, prime ministers, rulers, commercial bodies, etc.

Buying and selling in the world market.

Investment in foreign bonds or enterprises. International credit.

British Capital invested abroad.

(Economist, Feb. 20, 1909.—Webb, Dict. of Statistics, 81.)

## BRITISH CAPITAL INVESTED IN COLONIES AND DEPENDENCIES.

India . . . . .	£470,000,000	Cape Colony ..	98,000,000
Australasia ....	321,000,000	Rhodesia, E. Af.	59,000,000
Canada . . . . .	305,000,000	Natal . . . . .	30,000,000
Transvaal . . . .	220,000,000	Others . . . . .	63,000,000
		Total . . . . .	£1,566,000,000

## BRITISH CAPITAL INVESTED IN FOREIGN COUNTRIES.

United States .	£485,000,000	Russia . . . . .	45,000,000
Japan . . . . .	115,000,000	Balkan States	
Argentina ....	254,000,000	incl. Turkey	
Brazil . . . . .	101,000,000	and Greece.	39,000,000
Egypt . . . . .	97,000,000	Italy, Switzer-	
Mexico . . . . .	51,000,000	land and Aus-	
Ger'y, France,		tria . . . . .	26,000,000
Sweden, Nor-		Spain . . . . .	25,000,000
way, Belgium,		Uruguay ....	25,000,000
Denmark ...	48,000,000	Cuba . . . . .	21,000,000
China . . . . .	47,000,000	Chile . . . . .	42,000,000
		Others . . . . .	63,000,000

Total foreign investment . . . . £1,484,000,000

Grand total, £3,050,000,000

This is about one-fifth of the total capital of the United Kingdom.

2. Organized international activity. (*La Vie Internationale*, 1908-9, 537-1282.)

A great many interests have international organizations, meetings, and publications. To illustrate this the following are selected. (The names of the associations are here given in a convenient form.)

Foundation for the Promotion of Internationalism.  
Libraries.

International Institute of Bibliography.  
International Catalogue of Scientific Literature.  
International Congress of Librarians.

Press.

Reuter's News Service.  
International Press Association.

Legislature.

Interparliamentary Union (1889). One fifth of the members of national legislatures are members of it.

Peace.

International Peace Congresses (1843f).  
International Friendship Societies.

Ethical and Philanthropic.

International Union of Ethical Societies.  
International Congress against Immoral Literature.

International Congress against Intemperance.  
International Congress of Protectors of Animals.

International Union against Vivisection.  
International Congress against Duelling.

Red Cross Society.  
Friends of Young Women.

Religion.

World's Parliament of Religions.  
Eucharistic Congresses.

Salvation Army.  
Young Men's Christian Association. Over 800,000 members.

Young Women's Christian Association.

Sociology.

International Institute of Sociology.  
International Institute of Statistics.  
International Colonial Institute.  
British and Foreign Anti-Slavery Society.  
International Penitentiary Commission.

## Labor.

International Socialist Bureau.

International Federation for Sunday Observance.

International Association for the Legal Protection of Laborers.

International Co-operation. (See its Year Book, 1910.)

## Law and Government.

International Law Association.

International Alliance for Woman Suffrage.

International Association of Lawyers.

## Insurance.

International Congress of Actuaries.

## Education.

Universal Federation of Christian Students.

Cosmopolitan Club, affiliated with Corda Fratres, 1911.

(Various Congresses have been held.)

## Commerce and Transportation.

International Railway Association.

International Marine Association.

## Philology.

(International Languages: Volapük, Langue Bleue, Esperanto, Ido.)

## Sciences; pure and applied.

(Many of them have international organizations.)

International Medical Association against War.

## Geography.

International Congress of Geography.

International Geodesy. (Is preparing a world map.)

International Polar Commission.

## Fine Arts.

International Institute of Public Art.

## Sports.

Olympic Games.

International Aeronautical Federation.

## B. Public International Activities.

## 1. Administrative.

Universal Postal Union (1878). (Bridgman: First Book of World Law, 20-71.)

Practically all countries are members. Headquarters Berne.

Universal Telegraph Union (1875).

About 30 members.

Convention Concerning the Metric System (1875).

About 23 states have accepted it.

Union for the Protection of Industrial Property (1883).

About 19 members. Headquarters Berne.

Union for the Protection of Works of Literature and Art (1886).

About 15 states are members. Headquarters Berne.

Union Concerning Railway Transports and Freights (1890).

9 states are members. Headquarters Berne.

Union for the Publication of Customs Tariffs (1890).

About 30 members. Headquarters Brussels.

Phylloxera Conventions (1878, 1881).

12 members.

Convention Concerning Private International Law (1893, 1896, 1900).

About 15 members. (Library contains documents of first and third meetings. See References.)

Sanitary Conventions.

Cholera (1893, 1894, 1899).

Plague (1897, 1900).

Monetary Unions.

Latin Monetary Union (1865). 5 members.

Scandinavian Monetary Union (1873). 3 members.

Universal Monetary Conference (1892).

17 states represented: no practical result.

Convention for the Suppression of the Slave-trade (1892).

Convention for the Preservation of Wild Animals in Africa (1900).

7 signatories.

Convention Concerning Bounties on Sugar (1902).

About 12 members. Headquarters Brussels.

Others of the same kind relating to trade in arms, spirituous liquors (1899, 1906), the use of international rivers, canals and waterways generally, protection of ocean cables, radiotelegraphy, rules of traffic at sea, international signal code, fishing on the high seas, protection of travelers, exchange, exchange of documents, agriculture (1905), scientific expeditions, World's prime meridian (1884), "white slavery" (1904), etc.

## 2. Political (at least in some measure).

## a. Inter-governmental conferences, congresses, treaties, etc.

Final Act of the Congress of Vienna (1815).  
"Concert."

The Holy Alliance (1815).

Protocol of the Congress of Aix-la-Chapelle (1818).

Treaty of London (1831). Neutralization of Belgium.

Declaration of Paris (1856).

Geneva Convention (1864). Treatment of wounded in war.

Treaty of London (1867). Neutralization of Luxembourg.

Declaration of St. Petersburg (1868). Projectiles in war.

Congress of Berlin (1878). Near Eastern Question.

General Act of the Congo Conference (1885).

Treaty of Constantinople (1888). Suez Canal neutral.

Pan-American Conferences (1889-90; 1901, 1906, 1910).

Final Act of The Hague Peace Conference (1899).

Treaty of Washington (1901). Neutralizes Panama Canal.

Algeciras Conference (1906).

Central American Conferences (1906, 1907).

Final Act of the Second Hague Conference (1907).

The Declaration of London (1909). Private property at sea, etc. Not generally ratified as yet.

(And many others).

## b. Intergovernmental Administration.

Intervention. International law of the present presumes the equality of full-sovereign states. Nevertheless certain states or groups of states have imposed their wills on weaker states.

Intervention in Naples (1821) and Spain (1823), by Austria and France respectively to overthrow anti-monarchical governments, though it was done with a semblance of enforcing treaties.

Intervention of the United States in Cuba (1898), on the plea of humanitarianism.

The consequence of this procedure is the development in treatises on international law of a theory of intervention by right. It is significant to note that if there is such a thing as intervention by right, there is no such thing as the absolute sovereignty of nations. Intervention in the affairs of another nation on the ground of humanity is an admission that humanity takes precedence over national sovereignty.

Bureau of American Republics.

Central American Bureau.

Central American Court of Justice (All differences of any nature whatsoever are to be arbitrated by this court).

Permanent International Bureau at The Hague.

The Hague Tribunal (1899).

The International Prize Court (1907).

International loans. Loans of a state or a group of states to another power, in which the lending state is officially concerned. Chinese loans.

### C. International Conferences etc., summarized.

#### 1. Number between 1843 and 1910: 1977+.

Within that time their number has steadily increased.

1840-1860..... 28 international congresses

1861-1870..... 69

1871-1880..... 150

1881-1890..... 295

1891-1900..... 645

1901-1910..... 790

1840-1910..... 1977 international congresses

(*La Vie Internationale*, 1908-9, i. 175.)

#### 2. Three stages in their history. (*La Vie Intern.* 1908, i, 46-7.)

a. Formation of a scientific organization and the invitation of foreigners to join it. Originated in Germany, about 1823.

b. Creation of large official organizations. Begun about 1860.

c. Formation of independent associations with or without state aid. Since 1895.

#### 3. Headquarters.

a. Some have none.

b. Fixed: Berne, Brussels, and lately The Hague, favorites.

c. Itinerant.



*D.* Results of internationalism.

1. Interest (financial as well as academic) in other peoples.
2. Reduction of national prejudices.

This is stimulated by the spread of the belief in the equality of man (democracy), which is manifesting itself in the world-wide acceptance of popular sovereignty. It is a movement in the direction of international democracy.

3. Cosmopolitanism. World citizenship. "Brotherhood of Man."
4. Change in the conception of patriotism. "New patriotism." "Above the Nations is Humanity."—(Goldwin Smith bench at Cornell.)
5. Schemes of world federation (See Lecture XXXIV.)

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## XXXIV. WORLD FEDERATION.

*(Krehbiel)*

- A. Federations have been successful on the whole.
1. The Achaian League, B. C. 281-146.
  2. The Swiss Confederation, A. D. 1291-date.
  3. The United Provinces, A. D. 1579-1795.
  4. United States, 1789-date.
  5. German Empire, (1866) 1871-date. (Confederation.)
- B. The steady improvement of means of transportation and communication has produced a tendency in modern history for nations to draw together, and for human interests in all countries to become alike.
- Certain acts of states point in the direction of federation.
- Hague Conferences (the beginning of a world legislature).
- The Hague Court (the beginning of a world judiciary).
- Central American Union.
- Pan-American Union.
- Similar propositions for other countries are not uncommon.
- C. Schemes proposed to compel bellicose nations to keep the peace.
1. Leagues of neutrals, or peace syndicates. (Molinari 258, 287.)
  2. International protests against war.
  3. Boycott of nations which make war. Refusing to recognize its officials, its acts, papers, stamps, citizens, ships, goods, declining to trade with it, refusing loans, cancelling bonds and stocks listed at boards of trade, putting high customs duties on its goods, etc.
  4. General strike.
  5. Pacific blockade.
  6. International police.
- (The last two suggestions imply an international executive.)
- D. The world executive.
1. Character of the executive: no different from executive arrangements known today.
    - a. An individual.
    - b. A commission.
  2. Source of authority of the executive.
    - a. From the several states acting jointly; giving the executive the powers of ambassadors (international government).
    - b. From the *people* of the several states; a true federation, making the several states subject to the world executive (cosmopolitan government).

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## XXXVI. EDUCATION FOR PEACE.

*(Krehbiel)*

A. Education (study, travel, reading, etc.), if at all impartial, has a tendency to remove bias and prejudices of all kinds. The removal of international and inter-racial prejudices is a proper function of education.

B. Education for peace should begin with childhood in the home and the schools. Peace Day, May 18.

C. Education may aid the cause of peace by—

1. Teaching all subjects as honestly as possible.
2. Admitting the part played by other peoples in civilization.
3. Discouraging superficial patriotism of the noisy, public sort, which stands for "my country right or wrong," and encouraging that patriotism which desires to have one's nation be right, not wrong.

D. Peace ideals may be inculcated by the method of teaching, or by the emphasis placed upon special subjects.

1. Literature.

Guarding against the romantic element in literature, to prevent it from obscuring the truth and giving distorted conceptions of courage, heroism, loyalty and honor.

2. Commercial geography. Bringing out the economic interdependence and unity of the whole earth.

3. Contemporary politics.

Showing that the problems of all civilized nations are similar.

Noting that there is often a distinction between government (the men who control the government) and the state (the people).

4. Science. Bringing all people to know what the biological consequences of war are. Eugenics.

5. The duty of the present to posterity. The evils of deferred payments: borrowing on the future.

6. The relation of brute force to intellect and the value of deliberation and the investigation of facts before, rather than after, a war.

b.

7. International ethics. Any reflection upon this theme is likely to be fruitful for peace.

8. Chairs of international institutions at colleges and universities.

9. Schools of peace; or peace courses.

## E. History.

1. It should try to teach the truth. The truth about the past will deprive war of much glamor.  
 The truth about causes of war. A careful distinction should be drawn between—
  - a. The immediate cause or the occasion of the war (the pretext).  
 Chance or accidental occasions.  
 Artificially prepared occasions.  
 War slogans and their rôle.
  - b. The underlying causes of war.  
 The truth about declarations of war. These—  
 Present the case of the belligerent as favorably as possible.  
 Emphasize the immediate occasion of the war (the pretext).  
 Frequently dissemble the true cause of the war.  
 Are often belied by subsequent events.  
 Illustrations.  
 [Swift on the causes of war: Appendix E.]  
 The truth about service in the army as a private.  
 The truth about the fruits of war.  
 The frequent failure of war to settle or improve matters.  
 The growth of law.  
 The spread of democracy.  
 The use and success of arbitration.  
 The achievements of the Hague Conferences.
2. Continuity of history should be emphasized. History is genetic, not cataclysmic.  
 Results of this conception.  
 There is growth in time of peace as well as in war.  
 War is not the motive force of progress, but merely the clash of forces resulting from progress.  
 Progress does not necessarily mean war, as ideas absolutely subversive of accepted beliefs have made their way without bloodshed: Darwinism.  
 The only solid progress is that which comes from sound growth; progress forced by war alone is not lasting.  
 Progress in peace versus progress in war.
3. History should be made more nearly a "biography of man," instead of a record of his political doings.  
 Should touch all sides of human endeavor.  
 Should measure the success or expediency of any procedure in terms of all of man's interests, instead of merely in terms of political consequences. A step which has good political consequences, may be bad considered from an economic, social or moral point of view.

## UNITED STATES HISTORY—THE WAR OF 1812.

	QUACKENBOS <sup>1</sup>	HOLMES <sup>2</sup>	MONTGOMERY <sup>3</sup>	HART <sup>4</sup>
Pages in book . . . .	458	323	365	583
Total pages to war	218	123	145	113
Percentage . . . .	47.6%	38%	39.7%	19.3%
Pages to this war . .	44	12	6	8
Percentage . . . .	9.6%	3.7%	1.6%	1.3%
Detailing maneuvers	32½	5½	5	3
Percentage . . . .	7%	1.7%	1.3%	.5%
Total illustrations in book . . . . .	63	87	82	146
Illustrations to this war . . . . .	8	5	4	5
Percentage . . . .	12.7%	5.7%	4.9%	3.4%
Total maps in book	42	7	72	56
Maps for this war	9	1	5	1
Percentage . . . .	21.4%	14.3%	6.9%	1.8%

<sup>1</sup> Quackenbos: Illustrated School History of the United States, 1861.

<sup>2</sup> Holmes: Sheldon's History of the United States, 1884.

<sup>3</sup> Montgomery: American History, 1896.

<sup>4</sup> Hart: Essentials in American History, 1905.

## GREEK HISTORY—PELOPONNESIAN WAR, 431-404 B. C.

	GILLIE <sup>1</sup>	PINNOCK <sup>2</sup>	OMAN <sup>3</sup>	MOREY <sup>4</sup>
Pages in book . . . .	475	384	546	353
Total to war . . . .	216	174	319	43½
Percentage . . . .	45.5%	45.3%	58.4%	12.3%
Pages to this war . .	80	52	126	13
Percentage . . . .	16.8%	13.5%	23.1%	3.7%
Detailing maneuvers	19	19	48	6
Percentage . . . .	4%	5%	8.8%	1.7%
Total illustrations in book . . . . .	0	32	0	97
Illustrations to this war . . . . .	0	4	0	1
Percentage . . . .		12.5%		1%
Total maps in book	1	2	12	40
Maps for this war	0	2	4	5
Percentage . . . .		100%	33.3%	12.5%

<sup>1</sup> Gillie: History of Ancient Greece, 1843.

<sup>2</sup> Pinnock: Goldsmith's Greece, 1851.

<sup>3</sup> Oman: History of Greece, 1895. (Oman is a writer on the history of war.)

<sup>4</sup> Morey: Outlines of Greek History, 1903.

The objection of time: it is impossible to teach all sides of history in the time allotted to the subject.

This does not justify teaching what is untrue.

If anything is to be omitted it should be the interesting rather than the true. (The reverse has been too common.)

4. Writers of texts of history have already begun to reduce the space given to wars and to increase other matter in proportion.

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 Robinson: The New History (1912).  
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## XXXVII. LIVING WORKERS FOR PEACE.

*(Jordan)*

(See Appendix F for a list of peace workers outside of the United States.)

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# APPENDIX

TABLE A.

## INTEREST-BEARING DEBTS OF THE SOVEREIGN NATIONS.

(Allen: Drain of Armaments, p. 19.)

GREAT BRITAIN AND THE CONTINENT OF EUROPE:	Date	National Debt	Approximate Annual Interest Charge
*Austria-Hungary	Jan. 1, 1911	\$3,612,389,000	\$144,496,000
Belgium .....	Jan. 1, 1911	740,681,000	21,249,000
Bulgaria .....	Jan. 1, 1911	122,040,000	5,992,000
Denmark .....	Apr. 1, 1911	90,682,000	2,545,000
France .....	Jan. 1, 1910	6,286,435,000	192,762,000
†Germany .....	Jan. 1, 1911	1,224,158,000	41,981,000
Great Britain ....	Apr. 1, 1911	3,389,577,000	101,060,000
Greece .....	Jan. 1, 1911	155,823,000	6,233,000
Italy .....	July 1, 1909	2,614,183,000	92,145,000
Netherlands .....	Jan. 1, 1912	465,295,000	12,886,000
Norway .....	July 1, 1910	86,386,000	3,024,000
Portugal .....	Jan. 1, 1911	818,578,000	28,650,000
Rumania .....	Apr. 1, 1910	315,966,000	12,639,000
Russia .....	Jan. 1, 1911	4,507,071,000	180,283,000
Servia .....	Jan. 1, 1911	135,886,000	6,115,000
Spain .....	Jan. 1, 1911	1,886,221,000	75,448,000
Sweden .....	Jan. 1, 1911	145,105,000	5,079,000
Switzerland .....	Jan. 1, 1910	24,360,000	853,000
‡Turkey .....	Sep. 13, 1911	508,981,000	20,359,000
Total, Great Britain and the Continent..	—	\$27,129,817,000	\$953,799,000
UNITED STATES .....	July 1, 1911	\$ 915,353,000	\$21,311,000
JAPAN .....	Apr. 1, 1911	1,325,198,000	59,312,000
MEXICO AND SOUTH AMERICA:			
Argentina .....	Jan. 1, 1911	\$531,858,000	\$26,593,000
Brazil .....	Jan. 1, 1911	654,303,000	32,715,000
Chile .....	Jan. 1, 1911	175,000,000	8,750,000
Colombia .....	Jan. 1, 1911	16,622,000	831,000
Ecuador .....	July 1, 1910	22,000,000	1,100,000
Mexico .....	July 1, 1911	219,537,000	10,977,000
Peru .....	1909	8,400,000	462,000
Uruguay .....	Jan. 1, 1911	134,229,000	6,711,000
Venezuela .....	Jan. 1, 1911	39,300,000	1,179,000
Total, Mexico and South America....	—	\$1,801,249,000	\$89,318,000
World Total .....	—	\$31,171,617,000	\$1,123,740,000

\* Austrian Empire, Austria proper, and Hungary proper, combined. Since 1867 no loans have been contracted by the Empire.

† German Empire only. Prussia alone has a separate debt of nearly \$2,400,000,000.

‡ Report of Sir Adam Block, 1911.

TABLE B.  
THE WORLD'S ANNUAL ARMAMENT BILL.  
(Allen: Drain of Armaments, p. 10.)

GREAT BRITAIN AND CONTINENT OF EUROPE:	Fiscal Year	Expended for Army	Expended for Navy	Total Military Charge
Austria-Hungary	1911	\$73,513,000	\$13,731,000	\$87,244,000
Belgium .....	1911	11,987,000	—	11,987,000
Bulgaria .....	1911	7,928,000	—	7,928,000
Denmark .....	1911-12	6,053,000	3,044,000	9,097,000
France .....	1911	*187,632,000	83,286,000	270,918,000
Germany .....	1911-12	203,938,000	114,508,000	318,446,000
Great Britain ..	1910-11	138,800,000	203,020,000	341,820,000
Greece .....	1911	4,262,000	1,703,000	5,965,000
Italy .....	1911-12	†81,033,000	39,643,000	120,676,000
Montenegro ...	1911	38,000	—	38,000
Netherlands ...	1912	12,120,000	8,146,000	20,266,000
Norway .....	1910-11	3,798,000	1,460,000	5,258,000
Portugal .....	1910-11	8,592,000	3,997,000	12,589,000
Rumania .....	1911-12	13,856,000	—	13,856,000
Russia .....	1911	265,642,000	54,128,000	319,770,000
Servia .....	1911	5,402,000	—	5,402,000
Spain .....	1911	37,671,000	13,696,000	51,367,000
Sweden .....	1912	15,314,000	7,251,000	22,565,000
Switzerland ....	1911	8,785,000	—	8,785,000
Turkey .....	1911-12	42,071,000	6,223,000	48,294,000
Total (Gt. Britain and Continent)	—	\$1,128,435,000	\$553,836,000	\$1,682,271,000
UNITED STATES ..	1910-11	\$162,357,000	\$120,729,000	\$283,086,000
JAPAN .....	1911-12	49,196,000	43,405,000	92,601,000
BRITISH INDIA ...	1910-11	100,099,000	—	100,099,000
MEXICO AND SOUTH AMERICA:				
Argentina .....	1911	\$10,583,000	\$8,236,000	\$18,819,000
Brazil .....	1911	24,520,000	20,431,000	44,951,000
Chile .....	1910	9,852,000	7,653,000	17,505,000
Colombia .....	1911	} Army and not differen tiated	Navy tiated	1,900,000
Ecuador .....	1909			1,500,000
Mexico .....	1911-12			10,700,000
Peru .....	1910			5,400,000
Uruguay .....	1910			3,000,000
Venezuela .....	1910-11			1,500,000
Total (Mexico and South America)	—	—	—	\$105,275,000
WORLD TOTAL .....				\$2,263,332,000

\* Including gendarmes.

† Including carabinieri.



TABLE C.  
EXPENDITURE OF THE PUBLIC MONEY IN THE  
UNITED STATES.

(From the *Boston Advertiser*.)

	Military	Civil
1899.....	\$201,514,673.....	\$17,371,779
1900.....	110,175,389.....	20,767,628
1901.....	120,070,834.....	21,009,985
1902.....	93,974,727.....	16,097,725
1903.....	91,591,533.....	25,890,167
1904.....	89,010,039.....	24,752,916
1905.....	94,119,947.....	25,317,532
1906.....	85,962,396.....	26,693,955
1907.....	93,525,946.....	26,040,132
1908.....	100,431,384.....	31,293,690
1909.....	118,204,788.....	35,691,467
1910.....	118,953,603.....	29,740,612
1911.....	116,741,705.....	34,558,960

In round numbers since the Spanish War the War Department has spent more than \$1,500,000,000, while the operation of the civil government has cost only about \$350,000,000.

D. LIMITATION OF NAVAL ARMAMENTS,  
ARGENTINE-CHILE.

[May 28, 1902; ratified September 22, 1902.]

(British and Foreign State Papers, 95, 759.)

Art. 1. With the view of removing all motive for uneasiness or resentment in either country, the Governments of the Argentine Republic and of Chile desist from acquiring the vessels of war which they have in construction, and from henceforth making new acquisitions. Both Governments agree, moreover, to reduce their respective fleets, for which object they will continue to exert themselves until they arrive at an understanding which shall establish a just balance (of strength) between the said fleets.

This reduction shall take place within one year, counting from the date of exchange of ratifications of the present Convention.

Art. 2. The two Governments bind themselves not to increase, without previous notice, their naval armaments during five years; the one intending to increase them shall give the other eighteen months' notice. It is understood that all armaments for the fortification of the coasts and ports are excluded from this Agreement, and any floating machines destined exclusively for the defence of these, such as submarines, etc., can be acquired.

Art. 3. The two Contracting Parties shall not be at liberty to part with any vessels, in consequence of this Convention, in favor of countries having questions pending with one or the other.

Art. 4. In order to facilitate the transfer of pending contracts, both Governments bind themselves to prolong for two months the term stipulated for the delivery of the vessels in construction, for which purpose they will give the necessary instructions immediately this Convention has been signed.

THE LIMITATION OF ARMAMENTS BY TREATY BETWEEN  
ARGENTINE AND CHILE.

[January 9, 1903.]

(British and Foreign State Papers, 96, 311-312.)

Art. 1. The Argentine Republic and the Republic of Chile shall hereafter, and in the shortest time possible, sell the vessels of war now building for them. . . . In the event of its not being possible from any cause to carry out the sale immediately, the High Contracting Parties may continue the building of the said

ships, until they are completed, but in no case shall they be added to the respective fleets—not even with the previous notice of eighteen months required for the increase by the Agreement of May 28th, 1902.

Art. 2. Both the High Contracting Parties mutually agree immediately to put the vessels at present building at the disposal and at the orders of His Britannic Majesty, informing him that they have agreed that the vessels shall not leave the yards where they actually are except only in case Both High Parties formally request it, either because their sale has been effected or in virtue of a subsequent agreement.

Art. 3. The Two High Contracting Parties shall immediately communicate to the ship-builders the fact that the vessels have been placed, by common consent of both Governments, at the disposal of the Arbitrator designated in the Treaty of May 28th, 1902, without whose express order they may not be delivered to any nation or individual.

Art. 4. In order to establish the just balance between the two fleets, the Republic of Chile shall proceed to disarm the battleship "Capitan Prat," and the Argentine Republic to disarm its battleships "Garibaldi" and "Pueyrredon."

Art. 5. In order that the vessels may be considered disarmed, in accordance with the foregoing Article, they must be moored in a basin or port, having on board only the necessary crew to attend to the preservation of the material which cannot be removed, and they must have landed:

All coal; all powder and ammunition; artillery of small calibre; torpedo tubes and torpedos; electric search-lights; boats; all stores of whatever kind. For their better preservation it is permissible to roof in the decks.

Art. 6. The vessels mentioned in Article 4, which both Governments agree to disarm, shall remain in that state, and may not be rearmed without the previous notice of eighteen months which the Government who wishes to do so is obliged to give to the other Government, except in case of a subsequent agreement or of their alienation.

Art. 7. Both Governments shall request the Arbitrator . . . . to accept the duties resulting from the present Agreement, for which purpose an authenticated copy thereof shall be sent to him.

## E. THE CAUSES OF WAR.

"He asked me 'What were the usual causes or motives that made one country go to war with another?' I answered they were innumerable, but I should only mention a few of the chief. Sometimes the ambition of princes, who never think they have land or people enough to govern; sometimes the corruption of ministers, who engage their masters in a war, in order to stifle or divert the clamor of the subjects against their evil administration. Difference in opinions has cost many millions of lives; for instance, whether flesh be bread, or bread be flesh; whether the juice of a certain berry be blood or wine; whether whistling be a vice or a virtue; whether it be better to kiss a post, or throw it into the fire; what is the best color for a coat, whether black, white, red, or gray; and whether it should be long or short, narrow or wide, dirty or clean;—with many more. Neither are any wars so furious and bloody, or of so long continuance, as those occasioned by difference of opinion, especially if it be in things indifferent.

"Sometimes the quarrel between two princes is to decide which of them shall dispossess a third of his dominions, where neither of them pretends to any right; sometimes one prince quarrels with another, for fear the other should quarrel with him; sometimes a war is entered upon because the enemy is too strong, and sometimes because he is too weak; sometimes our neighbors want the things which we have, or have the things which we want, and we both fight till they have ours or give us theirs. . . . Alliance by blood or marriage is a frequent cause of war between princes; and the nearer the kindred is, the greater their disposition to quarrel. Poor nations are hungry, and rich nations are proud; and pride and hunger will ever be at variance. For these reasons the trade of a soldier is held the most honorable of all others, because a soldier is a Yahoo hired to kill in cold blood as many of his own species, who have never offended him, as possibly he can."

(Dean Swift: *Voyage to the Land of the Houyhnhnms.*)

## F. LEADING WORKERS FOR PEACE.

(Outside of the United States)

Albert I, Prince of Monaco.

J. G. Alexander: 3 Mayfield Road, Tunbridge Wells, Kent.

"Norman Angell" (Ralph Lane): 36 Rue du Sentier, Paris.

Diana Agaby Apcar: Bluff, Yokohama.

Count Albert Apponyi: Budapest, Hungary.

Emile Arnaud: Luzarches, Seine-et-Oise, France.

Judge Asser: Holland.

Lord Avebury (John Lubbock): 48 Grosvenor St., London.

J. Allen Baker: Donnington Road, Harlesden, London.

Judge Beckman: Stockholm.

Judge Bernaart: Ministre d'État, Brussels.

Léon Bollack: 147 Avenue Malakoff, Paris.

Prof. Bonet-Maury: (Prof. Theology, Sorbonne), Paris.

Léon Bourgeois: Paris, France. Minister of Labor.

G. Bovet: Berne.

Gilbert Bowles: 30 Kounmachi Mita, Tokyo.

Edward G. Browne: (Prof. Arabic), University of Cambridge.

Ferdinand Buisson: late Ministre d'Instruction Publique, 38 Rue Bouillot, Paris.

James Bryce: British Embassy, Washington.

Sir John Brunner: Silverlands, Chertsey, Surrey.

Rev. Reginald J. Campbell: London.

Sir William J. Collins: 1 Albert Terrace, Regents Park, London.  
N. W. (Prof. Surgery, University of London.)Lord Courtney of Penwith: 15 Cheyne Walk, Chelsea, London,  
S. W.

W. Evans Darby: London Peace Society.

Prince Paul Dolgouroff: Moscow, Russia.

Judge Drago: Buenos Ayres, Argentina.

Jacques Dumas: 5 *bis* Rue de Beauvan, Versailles (Editor La  
Paix par le Droit).

Anna M. Eckstein: Coburg, Germany.

P. H. Eijkman: The Hague, Holland.

Havelock Ellis: London.

Baron Paul D'Estournelles de Constant: Chateau de Créans, near  
La Flèche, Sarthe, France.

C. Reginald Ford: Christchurch, N. Z.

Wilhelm Förster: Ahorn Allee 32, Westend, Charlottenburg,  
Prussia (Prof. Astronomy, University of Berlin).

- Alfred H. Fried: Widerhofergasse 5, Vienna (Editor of *Friedenswarte*).
- Prof. R. Fujisawa: Imperial University of Tokyo.
- Yasanosuke Fukukita: American Embassy, Tokyo.
- A. Gobat: Berne, Switzerland.
- Patrick Geddes: University of Edinburgh (Prof. Biology).
- John W. Graham: University of Manchester.
- Joseph Frederick Green: 40 Outer Temple, London.
- Sir Edward Grey: Foreign Minister, London.
- Count A. de Gubernatis: Via Lucrezia Caro, 6, Rome.
- Prof. Ernest Hæckel: Jena. (Prof. of Zoology.)
- Lord Haldane: Minister of War, London.
- Carl Heath: 167 St. Stephen's House, Thames Embankment, Westminster, London, W. (Editor *Peace Year Book*).
- John A. Hobson: Elmstead, Limpsfield, Surrey. (Editorial writer of *Manchester Guardian*.)
- Francis W. Hirst: Arundel St., Strand. (Editor of *The Economist*.)
- J. Keir Hårdie, M. P.: London.
- Merriman C. Harris: Bishop, Seoul, Korea.
- T. Harada: Pres. Doshisha College, Kyoto.
- Silvester Horne: Whitefield's Church, Tottenham Court Road, London.
- Chiyomatsu Ishikawa: (Prof. Zoology) Imperial University, Tokyo.
- Eikichi Kamada: Pres. Keio University, Tokyo.
- Rev. N. Kato: Osaka.
- Baron Dairoku Kikuchi: (Pres. Imperial University) Tokyo.
- Mirza Ali Kuli Khan: Persian Legation, Washington.
- Halfdan Koht: University of Christiania. (Prof. of History.)
- Maxime Kovalevsky: St. Petersburg.
- Prince Krapotkin: St. Petersburg.
- Toshiyasu Kuma: Secretary, Chamber of Commerce, Tokyo.
- Henri La Fontaine: 11 Square Vergote, Brussels. Ed. *Vie Internationale*.)
- H. Lamprecht: (Prof. History, University of Leipzig).
- Ralph Lane: 36 Rue Sentier, Paris. "*Norman Angell*." (Editor *Daily Mail*.)
- Christian F. Lange: 377 Avenue de Longchamps, Brussels, Belgium. (Secretary of Interparliamentary Union.)
- Lucien Le Foyer: 43 Faubourg St. Honoré, Paris.
- Dr. Magelhaes Lima: Lisbon, Portugal.
- Oliveiro Lima: Rio Janeiro. (Minister to Belgium.)
- David Lloyd-George: Chancellor of the Exchequer, London.
- Dr. James A. Macdonald: The Globe, Toronto, Canada.
- J. Ramsey Macdonald, M. P.: London.

- Frederick Maddison: St. Stephen's House, Thames Embankment, Westminster, London.
- H. W. Massingham: Henrietta St., Covent Garden, London. (Editor, Nation.)
- Sir William Mather: Bramble Hill Lodge, Bramshaw, New Forest, London.
- Charles Edward Maurice: Gainsborough Gardens, Hempstead.
- Gaston Moch: 26 Rue de Chartres, Neuilly-sur-Seine, Paris.
- Ernesto T. Moneta: Milan.
- Felix Moscheles: 80 Elm Park Road, Chelsea, London, S. W.
- Ginzo Muki: Prof. German, Keio University, Tokyo.
- Junzo Naruse: Pres. Women's College, Tokyo.
- Thomas P. Newman: Hazelhurst, Haslemere, Surrey.
- Professor Nippold: Frankfurt-a-Main.
- Inazo Nitobe: Imperial University, Tokyo. (Prof. Literature.)
- Jacques Novicow: 8 Rue Toukofsky, Odessa, Russia. (Prof. Social Science.)
- Dr. Robert Oehme: Urbanstrasse, Berlin.
- Count Okuma: Pres. Waseda University, Tokyo. (Pres. Japan Peace Society.)
- Wilhelm Ostwald: (Prof. Chemistry, Univ. of Leipzig).
- Paul Otlet: 11 Square Vergote, Brussels.
- Frederick Passy: 8 Rue de Labordère, Neuilly-sur-Seine, Paris.
- George H. Perris: 5 Henrietta Street, Covent Garden, London.
- Jules Prudhommeaux: Nimes, France.
- Prof. Ludwig Quidde: Munich.
- William Pember Reeves: London School of Political Economy, Clare Market, London, England.
- Timothy Richard: Shanghai.
- Charles Richet: (Prof. Physiology, Univ. of Paris) 15 Rue de l'Université, Paris.
- Adolph Richter: Pforzheim, Baden.
- Dr. J. A. Rivière: 25 Rue des Mathurins. (Pres. Société des Médecins contre la Guerre.)
- Professor Rossignol: Brussels.
- Theodore Ruysen: (Prof. Theology) Univ. of Bordeaux.
- Baron Sakatani: Tokyo.
- Wilhelm Schallmeyer, M. D.: Kraling-Planegg, Munich, Bavaria.
- David B. Schneder: Sendai, Japan. (Pres. N. Japan College.)
- Olive Schreiner: Cape Town, Africa.
- Theodor Schücking: Univ. of Marburg, Germany.
- Otto Seeck: Gertrudenstrasse, 43, Münster in Westfalen. (Professor of Ancient History.)
- A. Sève: 16 Rue Soufflot, Paris.
- Saburo Shimada: M. P., Tokyo.
- Friedrich Spielhagen: Berlin.

William T. Stead: (†1912).

Sir Robert Stout: Wellington, N. Z.

Albert Seddekum: Reichstag, Berlin.

Bertha von Süttner: Zedlitzgasse 7, Vienna (Author of "Waffen Nieder").

Carmen Silva: Queen of Roumania, Bucharest.

T. Fisher Unwin: 1 Adelphi Terrace, London, W. C.

Sir Francis Vane: (World Scouts) London.

Walter Walsh: Gilfillan Church, Dundee, Scotland.

T. Watase: Konoen Kami Shibuya, Tokyo.

Lord Weardale: Weardale Manor, Brasted Chart, Seven Oaks, Surrey, England. (Philip Stanhope.)

Tatsuo Yamamoto: Minister of Finance, Tokyo.

Robert Young: Editor Chronicle, Kobe, Japan.

#### REFERENCES

Peace Year-Book, appendix.

(A "Who's Who" in the Peace movement is in preparation.)



## G. CONSTITUTIONAL PROVISIONS FOR ARBITRATION.

Brazil. Constitution of 1891, Art. 34, Sec. 11. (Dodd: Modern Constitutions, I, 158).

"The national congress shall have exclusive power: to authorize the government to declare war, when arbitration has failed or cannot take place, and to make peace."

Venezuela. Constitution of 1904, Art. 120 (Larned: History for Ready Reference, VII, 686).

This article provides that all international treaties shall contain the clause: "All differences between the contracting parties shall be decided by arbitration without going to war."

## H. PEACE PERIODICALS.

The Peace Movement (Berne).

The Arbitrator (London).

Concord (London).

Advocate of Peace (Washington).

The Messenger of Peace (Richmond).

Peace and Goodwill (Wisbech).

The Cosmopolitan Student (Madison).

The Herald of Peace (London).

Friedens-warte (Berlin, Vienna, Leipzig).

Völkerfriede (formerly Friedensblätter). (Esslingen.)

La Paix par Le Droit (Paris).

Etats-Unis d'Europe (Berne).

La Paix (Geneva).

Revue de La Paix (Paris).

La Vita Internazionale (Milan).

Vrede door Recht (Hague).

Fredsbladet (Copenhagen).

Fredsfanan (Stockholm).

Fredstidende (Copenhagen).

Wainmoinen (Tampere, Finland).

See La Fontaine: Bibliographie, p. 128f.)

## I. PAMPHLETS.

Various peace organizations publish pamphlets from time to time; among them the publications of the following will have the greatest interest for English readers.

World Peace Foundation, 29a Beacon Street, Boston.

American Association for International Conciliation, Substation 84, New York.

American Society for Judicial Settlement of International Disputes, Baltimore.

American Peace Society: Washington.

## J. FICTION, AND THE LIKE.

Süttner, Bertha von: *Ground Arms! (Lay Down Your Arms.)* (1908.)

Tolstoi: *War and Peace* (1889).

Zola: *The Downfall* (1898).

Andreief: *The Red Laugh*.

Tolstoi: *Sevastopol* (1888.)

Wiegand and Schauerman: *The Wages of War*. Poet Lore (1908).

Comfort: *Routledge Rides Alone*.

Ular, A.: *Die Zwergenschlacht*.

Richet: *Fables et Récits Pacifiques* (1904).

Zangwill: *The War God* (1911).

Suttner: *Souvenirs de Guerre* (1904).

Severine [Guebhard, Mme.]: *A. Sainte-Hélène* (1904).

Stéfane-Pol [Coutant, Paul]: *Vers L'Avenir*.

The same: *Les Deux Evangiles* (1903).

The same: *L'Esprit Militaire* (1904).

Erckmann-Chatrain: *The Conscript*.

Decle: *Trooper 3809*.

Schreiner, Olive: *Trooper Peter Halket of Mashonaland*.

Buchanan: *The Shadow of the Sword*.

Crane: *The Red Badge of Courage*.

Sturge: *The Patriot*.

Wells: *In the Days of the Comet*.

Crosby: *Captain Jinks, Hero*.

Gribble: *The Dream of Peace*.











